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No. 11] NEW DELHI, SATURDAY, MARCH 15, 1952

NOTICE

The undermentioned Gazettes of India Extraordinary were published during the week ending the 10th March, 1952 :—

Issue No.	No. and date	Issued by	Subject
48A	S. R. O. 384A, dated the 1st March 1952.	Ministry of Food and Agriculture.	Fixation of maximum prices of vegetable oil products.
49	S. R. O. 385, dated the 3rd March 1952.	Ministry of Commerce and Industry.	Further amendment made in the Notification No. S.R.O. 1793, dated 21st November 1951.
	S. R. O. 386, dated the 3rd March 1952.	Ditto	Further amendment made in the Notification No. S.R.O. 1818, dated 20th October 1951.
50	S. R. O. 387, dated the 4th March 1952.	Ministry of Law.	Election of members to the Council of States in Parts A and B States before 1st April 1952.
	S. R. O. 388, dated the 4th March 1952.	Ditto	Election of members of the Electoral College for various States to the Council of States before 1st April 1952.
	S. R. O. 389, dated the 4th March 1952.	Ditto	Fixation of certain dates for the elections to the Council of States.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 4th March 1952

S.R.O. 438.—The following draft of certain further amendments to the Bombay Port Haj Committee Rules, 1933, which it is proposed to make in exercise of the Powers conferred by sections 10 and 22 of the Port Haj Committees Act, 1932 (XX of 1932), is published, as required by sub-section (1) of section 23 of the said Act, for the information of all persons likely to be affected thereby, and notice is hereby given that the draft will be taken into consideration on or after the 1st April 1952.

Any objection or suggestion which may be received from any person in respect of the said draft before the date specified will be considered by the Central Government.

Draft Amendments

In the said Rules—

1. In rule 25A, for the words "British subject of Indian Domicile" the words "citizen of India" shall be substituted.

2. In rule 65, for the word "Provincial" the word "State" shall be substituted.

[No. 86-AWT]

LEILAMANI NAIDU, Dy. Secy.

New Delhi, the 7th March 1952

S.R.O. 439.—In exercise of the powers conferred by section 24 of the Indian Emigration Act, 1922 (VII of 1922) the Central Government is pleased to direct that the following further amendments which have been previously published as required by sub-section (1) of the said section, shall be made in the Indian Emigration Rules, 1923.

(I) In the said Rules, after rule 68, the following rule shall be inserted namely:—

"68A. (1) Where licence issued to a person under rule 63 or rule 64 is lost by him or is destroyed through his inadvertence or by accident, he may apply in writing to the Protector stating the circumstances in which the licence was lost or destroyed, for issue of a duplicate licence.

(2) The Protector, on being satisfied about the loss or destruction, shall issue to the applicant a duplicate licence. The fee for duplicate licence under rule 63 shall be Rs. 10 and that for a duplicate licence under rule 64 shall be Re. 1.

(3) A duplicate licence issued under sub-rule (2) shall be valid for the unexpired part of the year for which the original licence was valid and may be renewed on the expiry of that year on payment of the renewal fee prescribed under rule 63 or rule 64 as the case may be".

(II) In rule 69, for the words and figures, "Rules 62 to 68" the words and figures and letter "Rules 62 to 68A" shall be substituted.

[No. 90-Emigration.]

S. N. HAKSAR,

Controller-General of Emigration
and Joint Secy.

New Delhi, the 10th March 1952

S.R.O. 440.—Shri R. Krishnamachari, Officiating Protector of Emigrants, Nagapattinam, has been granted earned leave for four months with effect from the forenoon of the 2nd February, 1952.

[No. F. 9-16/51/I/Emi.]

S.R.O. 441.—In exercise of the powers conferred by Sub-section (I) of section 3 of the Indian Emigration Act, 1922 (VII of 1922) the Central Government is pleased to appoint Shri K. Narayanamurthy officiating Protector of Emigrants, Madras, as officiating Protector of Emigrants, Nagapattinam with effect from the forenoon of the 2nd February, 1952 vice Shri R. Krishnamachari granted leave.

[No. F. 9-16/51/II/Emi.]

S.R.O. 442.—In exercise of the powers conferred by Sub-section (I) of section 3 of the Indian Emigration Act, 1922 (VII of 1922) the Central Government is pleased to appoint Shri K. S. M. Mohammed Meerasha Maraicair, Personal Assistant to the Protector of Emigrants, Madras, as officiating Protector of Emigrants, Madras with effect from the afternoon of the 25th June, 1952, vice Shri K. Narayanamurthy appointed Protector of Emigrants, Nagapattinam.

[No. F. 9-16/51/III/Emi.]

S. D. PATHAK,

for the Controller General of Emigration.

MINISTRY OF STATES

New Delhi, the 4th February 1952

S.R.O. 443.—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act 1950, (XXX of 1950), the Central Government hereby extends to the State of Manipur, the Assam Land and Revenue Regulation, 1886 (Regulation I of 1886), as at present in force in the State of Assam subject to the following modifications, namely:—

Modifications

In the said Regulation—

1. Except as otherwise provided, for the words "State Government" wherever they occur, the words "Chief Commissioner" shall be substituted.
2. In sub-section (2) of section 1, for the word "Assam", the word "Manipur" shall be substituted.
3. Section 2 shall be omitted.
4. In section 51 the words "of the District" shall be omitted.
5. Sections 55 and 56 shall be omitted.
6. In sub-section (1) of section 69A. and Sub-section (1) of section 69B, for the word "Commissioner", the words "Chief Commissioner" shall be substituted.
7. In section 72:—
 - (a) in sub-section (4) the words "not being a permanently settled estate in the district of Cachar", shall be omitted.
 - (b) sub-sections (5) and (6) shall be omitted.
8. In sub-section (3) of section 74 the words and brackets "to the Commissioner or (where there is no Commissioner)" shall be omitted.
9. In section 79,—
 - (a) the words "to the Commissioner or where there is no Commissioner" shall be omitted.
 - (b) in the first proviso, the words "the Commissioner, or" and the words and brackets "(as the case may be)" shall be omitted.
10. In sub-section (2) of section 80 the words "or Commissioner" shall be omitted.
11. In sub-section (2) of section 82 the words "Commissioner or" shall be omitted.
12. In section 84, the words "State Government" shall stand unmodified.
13. In clause (a) of the proviso to sub-section (1) of section 97 after the words "No person shall be entitled" the words "after the conclusion of the settlement operations immediately following the commencement of this Act" shall be inserted.
14. In the proviso to section 109, the words "with the sanction of the Commissioner or where there is no Commissioner" shall be omitted.
15. In section 117, the words "to the Commissioner of a Division or where there is no Commissioner" shall be omitted.
16. In section 123, the words "Commissioner of a Division" shall be omitted.
17. In section 128—
 - (a) in sub-section (1), the words "in a district" shall be omitted.
 - (b) in sub-section (2), the words "of a district" shall be omitted.
 - (c) sub-section (3) shall be omitted.
18. In section 130, the word "Commissioner" shall be omitted.
19. In section 140, clause (a) shall be omitted.
20. For the proviso to section 142, the following proviso shall be substituted, namely:—

"Provided that where the amount levied under an order under this section passed by an officer other than the Chief Commissioner exceeds five hundred rupees, the Deputy Commissioner shall report the case to the Chief Commissioner and no further levy in respect of the fine shall be made otherwise than by authority of the Chief Commissioner."

21. In sub-section (1) of section 143 the words "a Commissioner of a Division" shall be omitted.

22. In section 147:—

(a) for, the portion other than the proviso, the following shall be substituted, namely:—

"147. Appeals shall lie under this Regulation as follows:—

(a) to the Chief Commissioner from any order original or appellate passed by a Deputy Commissioner, a Settlement Officer or a Survey Officer;

(b) to the Deputy Commissioner, from any order passed by a Sub-divisional Officer, an Assistant Commissioner or Extra Assistant Commissioner;

(c) to a Settlement Officer, from any order passed by an Assistant Settlement Officer;

(d) to a Survey Officer, from any order passed by an Assistant Survey Officer";

(b) Clause (i) of the proviso shall be omitted.

23. In sub-section (3) of section 148 and in section 149, the words "Tribunal or" shall be omitted.

24. In section 151, for the words and figures "Tribunal to be appointed under section 296 of the Government of India Act, 1935, a Commissioner" the words "Chief Commissioner" shall be substituted.

25. In Chapter X, for the words "Revenue Tribunal" wherever they occur, the words "Chief Commissioner" shall be substituted.

26. The Schedule shall be omitted.

ANNEXURE

The Assam Land and Revenue Regulation, 1886 (Assam Regulation I of 1886), as amended by this notification.

PART I

THE ASSAM LAND AND REVENUE REGULATION, 1886

REGULATION I OF 1886

[As amended by Regulations II of 1889 and II of 1905.]

CHAPTER I—PRELIMINARY

1. **Short title, commencement and local extent.**—(1) This Regulation may be called the Assam Land and Revenue Regulation, 1886; and

(2) It shall come into force on such dates and in such territories under the administration of the Chief Commissioner of Manipur as the Chief Commissioner may direct by notification in the official Gazette:

Provided that—

(a) any such notification may declare that any portion of this Regulation shall not be in force in any territory to which the Regulation may be extended; and

(b) the Chief Commissioner may * * direct by notification in the official Gazette that any portion of this Regulation shall cease to be in force in any territory to which the Regulation may have been extended.

The Chief Commissioner may, in like manner, amend, vary, or rescind any notification issued under sub-section.

2. *Omitted.*

3. **Definitions.**—In this Regulation, unless there is something repugnant in the subject or context,—

(a) "the commencement" of this regulation, used with reference to any local area, means the date on which it comes into force in that local area:

(b) "estate" includes—

(1) any land subject, either immediately or prospectively, to the payment of land revenue, for the discharge of which a separate engagement has been entered into;

(2) any land subject to the payment of, or assessed with a separate amount as land revenue, although no engagement has been entered into with the Government for that amount;

- (3) any local area for the appropriation of the produce or products whereof a license or farm has been granted under rules made by the Chief Commissioner under section 155, clause (e) or clause (f);
- (4) any *char* or island thrown up in a navigable river which under the laws in force is at the disposal of the Government;
- (5) any land which is for the time being entered in the Deputy Commissioner's register of revenue-free estates as a separate holding;
- (6) any land being the exclusive property of the Government of which the Chief Commissioner has directed the separate entry in the registers of revenue-paying and revenue-free estates mentioned in Chapter IV :

Explanation.—Any land gained by alluvion or by dereliction of a river to any estate as here defined, which under the laws in force is considered an increment to the tenure to which the land has accreted, shall be deemed to be part of that estate:

- (c) "permanently-settled estate" means any estate in the districts of Sylhet and Goalpara included in the decennial settlement of the Lower Provinces of Bengal or permanently settled at any subsequent date under any law for the time being in force;
- (d) "temporarily-settled estate" means any estate not being a revenue-free or permanently-settled estate:
- (e) "land revenue" means any revenue assessed by the Chief Commissioner on an estate, and includes any tax assessed in lieu of land revenue;
- (f) "proprietor" means the owner of any estate permanently settled or entered on the Deputy Commissioner's register of revenue-free estates;
- (g) "land-holder" means any person deemed to have acquired the status of a land-holder under section 8 :
- (h) "settlement-holder" means any person, other than a proprietor, who has entered into an engagement with the Government to pay land revenue, and includes a land-holder;
- (i) "recorded proprietor", "recorded land-holder", "recorded sharer", and "recorded possession" mean any proprietor, land-holder, sharer, or possession, as the case may be, registered in the general registers prescribed in Chapter IV;
- (j) "agricultural year" means the year commencing on the 1st April, or on such other date as the Chief Commissioner, in the case of any specified local area, by notification, appoints;
- (k) "notification" means a notification published in the Official Gazette: and
- (l) "prescribed" means prescribed by rules made under this Regulation.

CHAPTER II—RIGHTS OVER LAND

4. Land excepted from the operation of this Chapter.—This Chapter shall apply to all land except the following:—

- (a) land included in any forest constituted a reserved forest under the law for the time being in force;
- (b) any land which the Chief Commissioner may, by notification, except from the operation of this Chapter.

NOTE.—"The Lumding Khiraj Block" has been exempted from the operation of Chapter II.

5. Power to define boundaries of excepted lands.—(1) When the boundaries of any land excepted under section 4 from the operation of this Chapter need definition for the purposes of that section, and no other mode of defining them is provided by law, the Chief Commissioner shall cause them to be defined by the Deputy Commissioner.

(2) If, before the boundaries are defined, any question arises as to whether any land is included within them, it shall be decided by the Deputy Commissioner.

(3) The order by which a Deputy Commissioner defines any boundaries, or decides any question, under this section shall, subject to the provisions of section 151 of this Regulation, be final.

NOTE.—The boundaries of the following civil stations have been defined under this section:—

Dhubri, Gauhati, Barpeta, Tezpur, Nowgong, Sibsagar, Jorhat, Golaghat, North-Lakhimpur, Mangaldai, Dibrugarh, Silchar and Hallakandi.

6. Rights which may be acquired over land.—No right of any description shall be deemed to have been, or shall be, acquired by any person over any land to which this Chapter applies, except the following:—

- (a) rights of proprietors, landholders and settlement-holders other than landholders as defined in this Regulation, and other rights acquired in manner provided by this Regulation;
- (b) rights legally derived from any right mentioned in clause (a);
- (c) rights acquired under sections 26 and 27 of the Indian Limitation Act, 1877.
- (d) rights acquired by any person as tenant under the Rent Law for the time being in force:

Provided that nothing in this section shall be held to derogate from the terms of any lease granted by or on behalf of the Government.

7. Rights of proprietors.—Proprietors shall, subject to the provisions of this Regulation, have the same rights and enjoy the same privileges in respect of lands included in their estates as they have at the commencement of this Regulation.

8. Status of land-holder how acquired.—(1) (a) Any person who has, before the commencement of this Regulation, held immediately under the Government for ten years continuously any land not included either in a permanently-settled estate or in a revenue-free estate, and who has during that period paid to the Government the revenue due thereon, or held the same under an express exemption from revenue, and

(b) except as provided by section 15, any person who has, whether before or after the commencement of this Regulation, acquired any such land under a lease granted by or on behalf of the Government, the term of which is not less than ten years,

shall be deemed to have acquired the status of a land-holder in respect of the land.

(2) When land held by one person has come immediately by transfer or succession to be held by another, the holding shall, for the purposes of sub-section (1), clause (a), be deemed to have been continuous, and the latter person may, in reckoning the length of his holding, add the holding of the former to his own.

(3) When any revenue has been paid in respect of land by any person holding the land under another, that revenue shall, for the purposes of the said clause, be deemed to have been paid by the latter person.

Ruling.—Clause (1) (b) of Section 8 of Regulation I of 1886 applies to a case in which a person has acquired land, not merely because it has been directly settled with him by the Government, but also because he has obtained it from the original grantee by transfer, succession or otherwise. It includes a case in which a person before the commencement of the Regulation acquired the land by inheritance from a person with whom it had been settled by the Government under a lease for a term not less than ten years.

Upon the death of the person with whom the settlement for ten years was made in 1884 and in spite of the hostile possession of a third person after his death, his heirs became the owners of the interest originally vested in him, and as soon as the Regulation came into force on the 1st July 1886, the heirs became landholders within the meaning of clause (1) (b) of section 8 of the Regulation. Hence upon the expiry of the term of ten years fixed in the lease of 1884, the interest of the heirs did not completely terminate. They are entitled to claim settlement from the Government and their rights were not affected by settlement with a third person. [*Hedlot Khastia versus Karan Khasiani*.—15-C.L.F. 241 (July 1911)].

9. Right of land-holders.—A land-holder shall have a permanent, heritable and transferable right of use and occupancy in his land, subject, to—

- (a) the payment of all revenue, taxes, cesses and rates from time to time legally assessed or imposed in respect of the land;
- (b) the reservation in favour of the Government of all quarries and of all mines, minerals and mineral oils, and of all buried treasure, with full liberty to search for and work the same, paying to the land-holder only compensation for the surface damage as estimated by the Deputy Commissioner; and

(c) the special conditions of any engagement into which the land-holder may have entered with the Government.

Note.—For restrictions on the right of transfer see Executive Instruction 6 at page 174 in Part VI, Chapter II.

10. Forfeiture of land-holder's rights on relinquishment.—Any land-holder who, after the commencement of this Regulation, voluntarily relinquishes any land and ceases to pay the revenue assessed thereon shall at once forfeit his status of land-holder in respect of that land.

11. Rights of settlement-holders.—A settlement-holder, who is not a land-holder, shall have no rights in the land held by him beyond such as are expressed in his settlement lease.

12. Power to make rules for the disposal of Government lands and ejectment therefrom of unauthorized occupiers.—In the case of any land over which no person has the rights of a proprietor, land-holder or settlement holder under this Regulation, the Chief Commissioner may make rules to provide for—

- (1) the disposal by way of grant, lease or otherwise of such land,
- (2) the ejectment of any person who has entered into unauthorized occupation of such land, and
- (3) the disposal of any crop raised, or any building or other construction erected, without authority on such land.

Note.—For the rules framed under this section see Part II, Chapter I, SECTIONS I, II and IV.

Rulings.—(1) Where a rule made under this section directs that if settlement is not made with the first applicant the reasons should be stated in writing, it does not follow that if the reasons are not recorded the first applicant is entitled to a settlement. Nor has he any claim under section 6(a) of the Regulation. [*Ananda Kisore Sen versus Secretary of State for India in Council and another.*—14-C.W.N.-990 (June 1910)].

(2) Where a rule under this section directs that re-settlement should ordinarily be made with the previous settlement-holder the Civil Court has jurisdiction to see whether the officer making the resettlement took the rule into consideration; but it has no jurisdiction to question the correctness or sufficiency of his reasons for excluding the previous settlement-holder in a particular case. [*Joy Govinda Hajam versus Musst. Hazira Bibi.*—24-C.W.N.-149 (March 1919)].

13. Power to make rules for allotment of grazing grounds.—The Chief Commissioner may make rules for the allotment from the land referred to in section 12 of grazing grounds to the inhabitants of any village in the neighbourhood whom they consider to stand in need of such allotment, and for regulating and controlling the enjoyment of those grazing grounds by persons permitted to resort thereto.

Note.—For the rules framed under this section, see Part II, Chapter II and Part VII, Appendices II and III.

14. Power to make rules for allotment of lands for tribes practising *jhum* or migratory cultivation.—The Chief Commissioner may make rules for the allotment from the land referred to in section 12, for the use of tribes or families practising *jhum* or migratory cultivation, of areas suitable for such cultivation of sufficient extent, and situated in localities reasonably convenient, for the purposes of the persons to whom they are allotted, and for regulating and controlling the enjoyment of lands so allotted by persons permitted to resort to the same.

Note.—No rules have hitherto been framed by the Provincial Government under this section.

15. Bar to acquisition of rights over land disposed of under sections 12, 13, and 14.—No person shall acquire, by length of possession or otherwise, any right over lands disposed of or allotted under section 12, section 13 or section 14 beyond that which is given by the rules made under the section.

16. Rights in fishery.—The Deputy Commissioner, with the previous sanction of the Chief Commissioner may, by proclamation published in the prescribed manner, declare any collection of water, running or still, to be a fishery; and no right in any fishery so declared shall be deemed to have been acquired by the public or any person, either before or after the commencement of this Regulation, except as provided in the rules made under section 155:

Provided that nothing in this section shall affect any express grant of a right to fish made by or on behalf of the Government or any fishery rights acquired by a proprietor before the commencement of this Regulation, or the acquisition by a

proprietor of such rights in any fishery forming after the commencement of this Regulation in his estate.

Note:—(1) Under section 16 of the Regulation certain waters of the Hakaluki Haor in the district of Sylhet were declared to be fisheries by proclamation published at page 167, Part IX of the Assam Gazette of the 17 March 1920. By Notification No. 3099R., dated the 31st August 1921, rules framed under section 155 and 156 of the Assam Land and Revenue Regulation and section 6 of the Indian Fisheries Act (IV of 1897), in respect of the waters declared to be fisheries by proclamation above, were also published. These rules as subsequently amended are to be found in Part VII, Appendix IV. Rules in respect of other fisheries are in Appendix IVA.

(2) Certain persons were also authorised by Notification No. 3101R., dated the 31st August 1921, to arrest without warrant any person found breaking the above rules.

(3) Deleted.

CHAPTER III—SETTLEMENT AND RESUMPTION

PART A—GENERAL

17. Settlement operations defined.—Settlement operations may consist of one or more of the following:—

- (a) survey and demarcation of land;
- (b) assessment of land revenue;
- (c) record-of-rights.

18. General notification of settlement.—(1) When any local area or class of estates is to be settled the Chief Commissioner may issue a notification of settlement, and in the notification shall—

- (a) define the local area or class of estates to be settled, and
- (b) specify the settlement operations to be carried out.

(2) The Chief Commissioner may amend or alter any such notification.

19. Period during which local area is held to be under settlement.—(1) Every local area or class of estates shall be held to be under settlement from the date of any notification published under section 18 and relating thereto, until the issue of another notification declaring settlement operations to be closed therein.

(2) Every local area or class of estates under settlement at the commencement of this Regulation shall be deemed to be under settlement within the meaning of this section without the issue of the notification prescribed by section 18.

20. Power of Provincial Government to exclude any local area, etc., from the operation of any portion of this Chapter.—The Chief Commissioner may, by rule, direct that this Chapter or any one or more sections or portions of sections thereof shall not apply to any local area or to the settlement of any particular class of estates.

Note.—It has been declared by Settlement rule 96A—

(1) that the following portions of the following sections of the Regulation shall not apply to the settlement of any area or estate in the Assam Valley or in the district of Cachar in the Surma Valley, viz.:—

- (i) Sub-section 2 of section 33.
- (ii) Sub-section 3 of section 33 so far as it relates to delivery of an acceptance.
- (iii) Proviso (a) to section 34, and

(2) that in addition, sections 18 and 19 shall not apply to any area or estate in the Assam Valley or in the district of Cachar in the Surma Valley, which is not included in a village which has been traversed, surveyed, mapped and classed.

PART B.—SURVEY AND DEMARCATION OF LAND

21. Power to call for information and assistance.—Every proprietor and settlement-holder of any land and every person entitled to receive rent in respect of any land or occupying any land as a tenant, shall, on the written requisition of a Survey-officer, furnish, personally or otherwise, as the Survey-officer directs, such information or assistance as may be required by that officer for the purposes of the survey of the land.

22. Power to require erection and maintenance of boundary-marks.—(1) Every proprietor and land-holder of any land, and every person entitled to receive rent in respect of any land, shall, on the written requisition of a Survey-officer, erect and repair such boundary-marks on the land as the Survey-officer directs.

(2) If any person on whom a requisition has been made under sub-section (1) fails to erect or repair any boundary-mark mentioned in the requisition, the Survey-officer may erect or repair it.

23. Procedure in case of boundary disputes.—(1) Whenever in the course of survey it comes to the knowledge of the Survey-officer that any boundary dispute exists, he shall notify the same to the Settlement-officer who shall proceed as follows:—

(a) if the dispute is between the proprietors of different estates, the Settlement-officer shall decide it on the basis of actual possession; or if he is unable to satisfy himself as to which party is in possession, he may determine by summary inquiry who is the person best entitled to possession, and may put him in possession; or he may refer the dispute to arbitration for decision on the merits, as provided in section 143:

(b) if the dispute is between the settlement-holders of different estates, the Settlement-officer shall, after due inquiry, determine the proper boundaries of those estates;

(c) if the dispute is between the Government and any settlement-holder as to whether any land is comprised in the settlement, the Settlement-officer shall, after due inquiry, determine the dispute.

(2) The order by which a settlement-officer determines any boundaries or any dispute under clause (b) or clause (c) of this section shall, subject to the provisions of section 151 of this Regulation, be final.

Note:—(1) As no appeal lies to a superior revenue authority and the jurisdiction of the Civil Court is barred in cases under section 23, clauses (b) and (c), the Settlement-officer must be very careful in deciding boundary disputes. The report of a *mauzadar* or any other local official may be a useful addition to the evidence in the case, but independent evidence must also be taken if either of the parties does not agree to the report and offers to produce other evidence.

(2) When there is no special Settlement Officer, the powers of a Settlement Officer devolve under section 138(2) upon the Deputy Commissioner or Subdivisional Officer.

24. Power of Survey officer in certain cases to cause marks to be erected.—Whenever the Settlement-officer has determined a dispute under section 23, and the order has become final or has been altered by a decree or order of any competent Court or authority, which has become final,

and whenever it comes to the notice of the Survey-officer that any boundary has been determined by a competent Court or authority, the Survey-officer may cause such marks as he may think fit to be erected in order to secure the boundary permanently.

Note:—In the course of the original cadastral survey of the plains portions of Assam, conducted between the years 1883 and 1897 by a professional party of the Government of India, Survey Department, the boundaries of the permanently-settled and revenue-free estates and also of waste land grants, as then existing, were surveyed and as far as possible, demarcated. In their letter No. 2709—23R., dated the 22nd July 1895, Government have declared that they will not in future recognise any boundary in these estates other than those laid down by the cadastral survey.

25. Penalty for removing boundary-marks.—Any person wilfully destroying, removing or damaging any boundary-mark (not being a landmark fixed by the authority of a public servant within the meaning of section 434 of the Indian Penal Code) which has been lawfully erected shall be punished with fine which may extend to two hundred rupees for each mark so destroyed, removed or damaged, in addition to such sum as may be necessary to defray the expense of restoring the boundary-mark so destroyed, removed or damaged.

Note:—Action shall usually be taken in accordance with this section when any boundary-mark erected under sections 22 and 24 and Statutory Rule 100 of the Regulation is destroyed, removed or damaged. Action may be taken under the provisions of section 434 of the Indian Penal Code also, when the section applies and the offence is of a grave nature.

26. Obligation to give notice of injury to boundary-marks.—If a permanent boundary-mark lawfully erected on any land, or on the boundary thereof, is injured, destroyed or removed, or requires repairs, the proprietor or settlement-holder of the land, and every person entitled to receive rent in respect of the same or occupying it as a tenant, shall be bound to give immediate notice of the fact to the prescribed Revenue-officer; and every person who omits to give notice as required by this section shall be liable to a fine, not exceeding one hundred rupees, to be imposed by order of the Deputy Commissioner.

27. Power of Provincial Government to make rules.—The Chief Commissioner may make rules prescribing the mode in which any survey conducted under the provisions of this Part shall be effected, and the manner in which all the cost of such a survey, compensation due on account of anything done under the orders of a Survey-officer, and all expenses incurred under this Part in erecting and repairing boundary-marks, shall be apportioned among and levied from proprietors and land-holders and persons entitled to receive rent in respect of land.

Note.—The rules which have been framed by the Provincial Government under sections 27 and 152 for the recovery of the cost of survey and boundary-marks will be found in Part II, Chapter III.

PART C.—ASSESSMENT OF LAND

28. Land liable to assessment.—All land shall be deemed liable to be assessed to revenue, except—

- (a) land for the time being exempt from assessment under the express terms of any grant made or confirmed by, or on behalf of, the Government.
- (b) land in respect of which a tax is for the time being imposed under section 47:

Provided that nothing in this section shall—

- (1) affect the provisions of any settlement, grant or lease for the time being in force;
- (2) authorize the assessment of any land included in the limits of a permanently-settled estate, unless it is shown that it was not included in the permanent settlement;
- (3) affect any title to hold land revenue-free if the title existed immediately before the commencement of this Regulation and was valid under the law then in force; or
- (4) authorize the assessment of any land which has been held revenue-free for sixty years continuously unless it is shown that the right so to hold it has ceased to exist.

Note.—(1) When revenue-free *baksha* lands in Cachar are alienated, they should be assessed at full rates. The heritable nature of these lands when first bestowed is open to doubt, but it has been decided not to raise this question now.

Note.—(2) The *Nisf-khiraj* lands held by the family of the Darrang Rajas were granted as a personal dignity, and are liable to assessment at full rates on alienation. An exception has been made, however, in favour of lands alienated prior to 1858.

Note.—(3) *Bona fide* places of public worship which are not already regarded as Government land should, on the application of the settlement-holder and with the consent of the worshippers concerned, be recorded, as a matter of grace, as Government land, and should be exempted from the payment of land revenue for as long as they continue to be used for public worship.

Note.—(4) When the settlement-holder is unwilling to relinquish to Government a piece of land which is used for *bona fide* public worship, but which is now included within his lease, the existing state of affairs should be maintained, that is, if the settlement-holder has hitherto been paying revenue for the land which is used for public worship he should continue to pay it; but if he has hitherto been paying no revenue for the land, he should not be called upon to do so without special orders from the Provincial Government.

Ruling.—The effect of proviso 4 to section 28 of the Assam Regulation (I of 1886) which is based on section 2 of the Bengal Regulation (II of 1805), is to exempt land from assessment if the owner can prove 60 years' possession of it without payment of any revenue during that period and thus, to introduce the rule of 60 years limitation. It is not necessary that the 60 years' should be subsequent to the passing of

the Assam Regulation. Proviso 2 to section 28 of that Regulation merely authorizes assessment of lands excepted from the Permanent Settlement if they do not fall under any of the saving clauses. [*Ananda Kumar Bhattacharjee versus Secretary of State for India—I.L.R. 43 Cal. 973 (January 1916).*]

29. Settlement rules.—The Chief Commissioner may make rules prescribing the principles on which the land revenue is to be assessed, the term for which, and the conditions on which, settlements are to be made, and the manner in which the Settlement-officer is to report for sanction his rates and method of assessment.

Note:—(1) The term "settlement" in Assam has two distinct meanings, firstly the allotment of unoccupied land at a revenue assessment calculated at fixed rates, and secondly, the modification of the rates at which occupied land has been assessed, and at which unoccupied land will be assessed. The latter process is distinctively known as "re-settlement".

Note:—(2) For the rules framed under this section see Part II, Chapter I.

30. Framing and submission of general proposals of assessment.—The Settlement-officer shall, in accordance with the rules issued under section 29, frame general proposals of assessment for any local area or class of estates to be assessed, and submit those proposals to the Chief Commissioner.

31. Detailed assessment and declaration thereof to persons concerned.—After the receipt of the orders of the Chief Commissioner thereon, and subject to such orders, the Settlement-officer shall ascertain, and make an order, determining the amount of the assessment proper for each estate, and shall, on a date and at a place to be notified by proclamation in the prescribed manner, offer a settlement based thereon to the person with whom the settlement of the estate is to be made.

32. To whom settlement is to be offered.—(1) The Settlement-officer shall offer the settlement to such persons (if any) as he finds to be in possession of the estate and to have a permanent, heritable and transferable right of use and occupancy in the same, or to be in possession as mortgagees of persons having such a right.

(2) If the Settlement-officer finds no person in possession as aforesaid, it shall be in his discretion, subject to such rules as the Chief Commissioner may make under section 12, to offer the settlement to any person he thinks fit.

33. Acceptance or refusal of settlement.—(1) It shall be in the option of the person to whom a settlement is offered to accept or refuse the same.

(2) If he is willing to accept it, he shall deliver to the Settlement-officer an acceptance in writing under his hand, in the prescribed form.

Note:—Vide rule 63 in Part II, Chapter I, SECTION III and Form No. 13.

(3) If a person to whom a settlement has been offered does not, within the prescribed time, deliver such an acceptance or inform the Settlement-officer in the prescribed manner that he refuses the proposed settlement, he shall, if the Settlement-officer by an order in writing so directs, be deemed to have accepted the settlement.

34. Effect of acceptance of settlement.—When a settlement has been accepted, the revenue fixed thereby and no more shall be payable from such date and for such term, as the Chief Commissioner may fix in this behalf; or, if at the expiry of that term no new settlement has been made, until a new settlement has been made:

Provided that—

- (a) a settlement shall not be final as against the Government until it has been sanctioned by the Chief Commissioner;
- (b) in the case of gain by alluvion, or by dereliction of a river, or loss by deluvion, during the currency of the settlement, increment shall be assessed and reductions granted by the Deputy Commissioner according to such limitations as to the extent of gain or loss and such other conditions as may be prescribed; and
- (c) in any local area to which the Chief Commissioner may, by notification, apply this clause, a settlement-holder may, after giving notice at the time and in the manner prescribed, relinquish the estate of which he has accepted a settlement or any part thereof on which a separate part of the revenue has been apportioned and shall thereupon be released from all future obligation to pay the revenue of the estate, or the part thereof so apportioned, as the case may be.

Note:—Clause (c) of section 34 has been applied to all the districts within which the Regulation is in force.

35. Effect of refusal of settlement.—If the persons to whom a settlement is offered refuses to accept it, it shall be in the discretion of the Settlement-officer, subject to such rules, as the Chief Commissioner may make under section 12, to exclude him for the term of the settlement from possession of the estate, and to offer the settlement thereof to any other person he thinks fit.

36. Procedure when some of those to whom the settlement is offered refuse.—In the case of an estate held by several persons jointly entitled to an offer of a settlement, if some of those persons refuse to accept the offer, it shall be in the discretion of the Settlement-officer to exclude them from possession for the term of settlement and to offer the settlement of the whole estates to the others.

37. Settlement-officer when to apportion assessment over land.—(1) When the whole or part of the land comprised in an estate is held in severalty, the Settlement-officer shall, on the application of any one or more of the settlement-holders, make an order apportioning to several holdings the revenue assessed on the estate.

(2) Except as provided by sub-section (1), a Settlement-officer shall not apportion the revenue of an estate over the lands comprised therein unless he is required so to do by rules made by the Chief Commissioner in this behalf.

(3) No apportionment of the revenue by the Settlement-officer shall affect the joint and several liability for the revenue imposed by section 63.

38. Representation or incompetent persons and of bodies of persons.—(1) A lunatic, minor or other persons incapable of making a contract, shall be deemed to be duly represented for all the purposes of this Part by his manager.

(2) A body of persons for whom representatives have been appointed in this behalf under rules made under section 155, clause (d), shall be deemed to be duly represented for all the purposes of this Part by those representatives.

39. Effect of decision of Settlement-officer as to settlement.—Subject to the provisions of section 151 of this Regulation the order of a Settlement-officer as to the person to whom a settlement should be offered, the amount of revenue to be assessed, and the nature and term of the settlement to be offered, shall be final, and a settlement concluded with that person shall be binding on all persons from time to time interested in the estate; but, except as provided by sections 35 and 36, no person shall, merely on the ground that a settlement has been made with him or with some person through whom he claims, be deemed to have acquired any right to or over any estate, as against any other person claiming rights to or over that estate.

Ruling.—Where the defendants were wrongly granted settlement and kept the plaintiffs out of possession, it was competent to the Civil Court not only to declare the title of the plaintiffs but also to put them in possession by ejectment of the defendants. [*Askar Mian and others versus Sabad Ali Bora Bhuiya and others*—C.W.N. 23,540, (July 1918).]

(Reviews and dissents from the rulings in I.L.R. 17 Cal., 819 and 24 Cal., 239.)

PART D.—RECORD-OF-RIGHTS

40. Record-of-rights.—The settlement-officer shall frame for each estate a record-of-rights in the prescribed manner.

Note.—The record-of-rights is the *jamabandi* based on the *chitha* and the field map.

41. Entries in record and their effect.—(1) Entries in the record made under section 40 shall be founded on the basis of actual possession, and all disputes regarding such entries, whether taken up by the Settlement-officer of his own motion or on the application of a party concerned, shall be investigated and decided by him on that basis and all persons not in possession, but claiming the right to be so, shall be referred by him to the proper Court.

(2) Every entry in the record-of-rights made under this section shall, until the contrary is proved, be presumed to be correct.

42. Determination of class of tenants and the rent payable by them.—Notwithstanding anything contained in section 41, in the case of any dispute respecting the class of any tenant under the Rent Law for the time being in force, or the amount of rent payable by such tenant, the Settlement-officer shall decide the dispute, or, where the rent is open to alteration, fix the rent according to the principles laid down in the said Rent Law, and, subject to the provisions of section 151 of this Regulation, his order shall be final.

Note.—The Rent Law in force in the Sylhet district is the Sylhet Tenancy Act (Assam Act XI of 1936), in the permanently-settled portions of the Goalpara district it is the Goalpara Tenancy Act (Assam Act I of 1929); in the temporarily-settled portions of the Goalpara district it is Act VIII (B.G.) of 1869; and in the

other districts of the province it is the Assam (Temporary-settled Districts) Tenancy Act (Assam Act III of 1935).

PART E.—RESUMPTION

43. Enquiry by Deputy Commissioner regarding land liable to resumption.—Whenever a Deputy Commissioner has reason to believe that any land within his jurisdiction is being held wholly or partially free of assessment and is liable to be assessed under section 28, he may institute an inquiry, and the person claiming the land shall be bound to prove his title to hold the same wholly or partially free of assessment, as the case may be.

44. Report of Chief Commissioner of result of enquiry.—The result of every inquiry instituted by the Deputy Commissioner under section 43 shall be reported to the Chief Commissioner for orders in the prescribed manner.

45. Orders of Chief Commissioner on Deputy Commissioner's report.—(1) In any case reported to the Chief Commissioner under section 44, if the Chief Commissioner declares the land not liable to assessment, his order shall be final except on proof of fraud or collusion on the part or on behalf of the person interested.

(2) If the Chief Commissioner declares the land liable to assessment, the Deputy Commissioner shall inform the person interested of the Chief Commissioner's decision, and shall proceed to assess the land in accordance with the rules made under section 29 and to settle it with the person in possession.

46. Suit in Civil Court to set aside Chief Commissioner's order directing resumption.—Any person whose lands are assessed by order of the Chief Commissioner passed under section 45 may, at any time within one year from the date of his being informed of the Chief Commissioner's order, institute a suit in the Civil Court to have the order set aside, failing which the order shall be final.

PART F.—HOE-TAX OR HOUSE-TAX

47. Hoe-tax or house-tax.—(1) The Chief Commissioner may direct that in lieu of the revenue assessable on any land there shall be collected an annual tax on each male person who has completed the age of eighteen years taking part in the cultivation of the land at any time during the year of assessment, or on each family or house, of persons taking part as aforesaid.

(2) The rates of the tax, the class of persons upon whom, and the localities and mode in which, it may be assessed, shall be determined by the Chief Commissioner.

CHAPTER IV.—REGISTRATION

PART A.—THE PREPARATION AND MAINTENANCE OF REGISTERS

48. Registers to be kept.—(1) The Deputy Commissioner of every district shall prepare and keep the following registers:—

- (a) a general register of revenue-paying estates;
- (b) a general register of revenue-free estates; and
- (c) such other registers as the Chief Commissioner may direct.

(2) The registers shall be written in the prescribed form and language, and shall be prepared, arranged, kept and maintained in the prescribed manner.

Note.—For the general registers prescribed under this section, see the rules in Part II, Chapter IV.

49. Existing Registers.—Until registers are prepared for any tract under section 48, the Chief Commissioner may direct that any registers kept by or under the control of the Deputy Commissioner at the commencement of this Regulation shall be deemed to be registers prepared under that section.

Note.—(1) The forms of general register prescribed in the rules under Chapter IV of the regulation, in accordance with section 48, have been written up for waste land grants and revenue-free estates throughout the provinces, and for permanently-settled estates in Goalpara.

(2) They have not been written up for permanently-settled estates in Sylhet. It has been decided that it would be a waste of time and labour to attempt the preparation of a general register of permanently-settled estates in the absence of a cadastral survey of the district. It has also been found impossible to substitute any register for the general register by a notification under section 49.

PART B.—REGISTRATION

50. Liability of persons succeeding to estates to give information of succession.—After the commencement of this Regulation—

- (a) every proprietor or land-holder succeeding to any estate, or share in an estate, whether by transfer or inheritance, and obtaining possession of the same;
- (b) every joint proprietor or joint land-holder of any estate assuming charge of the estate, or of any share therein on behalf of the other proprietors or landholders thereof;
- (c) every person assuming charge of any estate of a proprietor or land-holder, or of any share therein as manager; and
- (d) every mortgagee obtaining possession of any estate of a proprietor or land-holder, or of any share therein;

shall, within six months from the date of taking possession or assumption of charge, apply to the Deputy Commissioner of the district on the general registers of which the estate is borne for registration of his name as such proprietor, land-holder, manager or mortgagee, and of the nature and extent of the interest in respect of which the application is made.

Note:—(1) District Officers are responsible that the registers (*jamabandis* in the case of ordinary *raiayatwari* lands) are maintained to date by the entry of all changes in proprietary possession.

(2) They should get information from the Registering Officer regarding all deeds affecting rights in land which are produced before them for registration, a clerk being deputed once a week, if necessary, to extract the required information from the Sub-Registrar's books. Where a separate registration clerk is entertained, the required information should be furnished monthly by the Sub-Registrar in the following form:—

- (i) Name of sub-registry office.
- (ii) Name and address of transferor.
- (iii) Names and address of transferee.
- (iv) Name and number of estate: its *pargana* and *mauza*.
- (v) Specification of share transferred.
- (vi) Date and description of deed.
- (vii) Date of Registration.
- (viii) Remarks.

(3) It is the duty of the *mandal* or *patwari* to bring to notice all changes which he discovers in the course of his annual tours. The procedure to be followed in registering these changes after local investigation instead of by inquiry in Court is described in the Land Records Manual. The obligation of the *mandal* or *Patwari* to report changes does not absolve private persons from liability under sections 50 and 51.

51. Existing proprietor, etc., may apply for registration.—Every person who, at the commencement of this Regulation, is in the possession of an estate or of any share in an estate as proprietor or land-holder, or as manager of the estate of a proprietor or land-holder, or as mortgagee, may apply to the Deputy Commissioner on the general register of which the estate is borne for registration of his name as such proprietor, land-holder, manager or mortgagee, and of the nature and extent of the interest in respect of which the application is made.

52. Procedure on application for registration.—(1) On receiving an application under section 50 or section 51, the Deputy Commissioner shall, if he considers there are sufficient grounds for proceeding with the application, publish a notice requiring all persons who object to the registration of the name of the applicant, or who dispute the nature or extent of the interest in respect of which registration is applied for, to give in a written statement of their objections, and to appear on a day to be specified in the notice, not being less than one month from the date thereof.

(2) If the application alleges that the applicant has acquired possession of the estate, or share in an estate in respect of which he applies to be registered, by transfer from any person, a copy of the notice shall be served on the alleged transferor, or, if he is dead, upon his heirs.

53. Inquiry by Deputy Commissioner.—On the day fixed in the notice issued under section 52, or as soon thereafter as possible, the Deputy-Commissioner shall consider any objections which may be advanced, and, after such further inquiry (if any) as appears necessary to ascertain the truth of the succession, assumption of charge or possession alleged in the application, shall, if it appears to him that the succession accompanied by possession has taken place or that charge has been assumed or that the applicant is in possession, as the case may be, make an order directing the registration.

Note:—In uncontested cases evidence need not be recorded unless the registering officer considers inquiry by the examination of witnesses necessary as to the fact of possession.

53A. Power of Deputy Commissioner to direct registration on information received otherwise than through application.—(1) Notwithstanding anything contained in sections 50 to 53, where the Deputy Commissioner has received information, otherwise than through an application, of any such taking of possession or assumption of charge as is referred to in section 50, he may make an order directing the registration of the name of the person so taking possession or assuming charge:

Provided that—

- (a) the information has been verified by local inquiry made by an officer not below the rank of an Assistant Settlement-officer, or
- (b) notice has been published and an inquiry has been held in the manner prescribed by sections 52 and 53 as if an application for registration had been received from the person to whom the information relates.

(2) Where any person is aggrieved by an order directing registration under this section which has been made after verification of the information received by local inquiry only, he may within a period of 3 years of date of each order apply to the Deputy Commissioner to have such order set aside, and on receipt of such application the Deputy Commissioner shall cancel the registration and then proceed to publish the notice and hold the inquiry prescribed by sections 52 and 53 as if an application for registration had been received from the person whose name had been registered.

Note:—(1) For the procedure to be followed in dealing with mutation cases by local investigation see the instructions in the Assam Land Records Manual. A case which has been disposed of by local investigation may be reopened on application, and should then be dealt with formally by inquiry in Court. Cases which cannot be disposed of by local investigation,—including, generally, all cases in which a dispute exists,—must be made the subject of formal inquiry in Court, after issue of notice according to the procedure laid down by the Registration Rules (Chapter IV of Part II).

Note:—(2) Petitions of objection to applications for mutation must be stamped.

(3) Partition cases must be kept entirely distinct from mutation proceedings, and an order granting separate *pattas* must never be issued in connection with an application for registration of names. Should any person desire to have his share of a holding partitioned off to him, he must apply separately for partition under Chapter VI of the Regulation.

(4) The payment of land revenue in respect of the interest to be registered should not be made a condition precedent to registration.

54. Power to put one party in possession in case of dispute.—If, in the course of an inquiry made under section 53, a dispute regarding the fact of possession arises, and the Deputy Commissioner is unable to satisfy himself as to who is in possession, he shall ascertain by summary inquiry who is the party best entitled to possession, and shall put him in possession and make the necessary entry in the proper register accordingly.

Note.—(1) Orders should not be passed under this section on the summary local inquiry of Sub-Deputy Collectors.

(2) Officers conducting summary registration inquiries under sections 53 and 54 should not let them drift into full and regular inquiries such as would have to be held in order to dispose of the matter finally in the Civil Court. It is necessary also to avoid going to the opposite extreme. The question of how deeply Revenue Officers should go into the matter is one of degree and can only be determined by plain commonsense.

(3) An officer should not leave it to the parties, as in a civil suit, to raise what issue they please, and adduce what evidence they please, but should, on the dispute first developing itself before him, take the matter into his own hands and make up his mind as to limits to which he will push the inquiry.

(4) Deputy Commissioner should, when these cases come before them on appeal, give hints to their subordinates on particular points which will gradually guide them to the proper medium in such matters.

(5) The nature and extent of the interest must be recorded in all registration cases, even when the determination of this point is one of great difficulty.

55. *Omitted.*

56. *Omitted.*

57. Registration fee.—On any registry under this Chapter, fees may be levied from the person in whose favour the registration is made at the prescribed rates.

Note.—For the rates prescribed, see rule 126 of the rules framed under this Chapter in Part II, Chapter IV.

58. Penalty for non-registration.—(1) If any person, being required by section 50 to apply for registration, voluntarily or negligently omits to do so within the time specified in that section, he shall be liable to a fine, to be imposed by the Deputy Commissioner which may extend to five times the amount of fee which would be payable under section 57 for registration, and to such further daily fine as the Deputy Commissioner may think fit to impose, not exceeding one rupee for each day during which the person omits to apply for registration after a date to be fixed by the Deputy Commissioner in a notice requiring him to apply for registration; and

(2) A person required by section 50 to apply for registration shall not acquire, or be deemed to have acquired, as against the Government, any interest in land as proprietor, land-holder, manager or mortgagee, or be entitled to prefer any claim against the Government in respect of such interest, as long as he omits to apply for registration, but shall be subject to all the liabilities of a proprietor, land-holder, manager or mortgagee so far as regards the payment of revenue and all other obligations to the Government.

59. No person bound to pay rent to unregistered proprietor, etc.—(1) No person shall be bound to pay rent to any person claiming it as proprietor, land-holder, manager or mortgagee in possession of an estate, unless the name of the claimant has been registered under this Chapter.

(2) No person, being liable to pay rent to two or more such proprietors, land-holders, managers or mortgagees, shall be bound to pay one such proprietor, land-holder, manager or mortgagee more than the amount which bears the same proportion to the whole of the rent as the extent of the share in respect of which the proprietor, land-holder, manager or mortgagee is registered bears to the entire estate.

Note.—(1) It is immaterial whether the estate-holder was registered before the Assam Land and Revenue Regulation came into force or not. He must apply again for registration under the Regulation if he wishes to establish a legal claim to rent.

Note.—(2) The permanently-settled portion of Sylhet was withdrawn from the operation of this section by Notification No. 27R., dated 26th July 1889, but this section has been made applicable by Notification No. 3522R., dated the 10th November 1919, to the permanently-settled portions of *parganas* Renga, Dakshinkach. and Baraya in the district of Sylhet in respect of which a record-of-rights has been completed.

Ruling.—This section applies to rents accruing due after the Regulation came into force and not to rents already due on the date on which it came into force. [*Brojo Nath Chowdhury and others versus Birmani Singh Manipuri*—I.L.R. Cal. 227 (December 1887)].

PART C.—MISCELLANEOUS

60. Public entitled to inspect and to apply for extracts from registers.—Subject to the prescribed conditions and to payment of the prescribed fees, all registers kept under this Chapter shall be open to public inspection; and subject as aforesaid, the Deputy Commissioner shall supply an extract from any such register to any person who may apply for the same.

Note.—For the fees, etc., prescribed under this section see rule 129 of Part II, Chapter IV.

61. Power of Deputy Commissioner to pay recorded proprietors, etc., money due to them in accordance with their registered interests.—Whenever any sum of money is payable (otherwise than under the Land Acquisition Act, 1894) by the Deputy Commissioner to two or more proprietors, land-holders, managers or mortgagees in possession of an estate, the Deputy Commissioner may pay to any one or more recorded proprietors, land-holders, managers or mortgagees thereof, respectively, such portions of the said sum as may be proportionate to the extent of the interest in respect of which each such proprietor, land-holder, manager or mortgagee is registered, and the receipt of each such proprietor, land-holder, manager or mortgagee shall afford full indemnity to the Deputy Commissioner in respect of any sum so paid.

62. Saving clause.—Nothing contained in this Chapter and nothing done in accordance therewith shall be deemed to—

- (a) preclude any person from bringing a suit in the Civil Court for possession of, or for declaration of his right to, any immoveable property to which he may deem himself entitled; or
- (b) render the entry of any land in any register under this Chapter as revenue-free an admission on the part of the Government of the right of the person in whose name the land may be entered, or an admission of the validity of the title under which the said land is held revenue-free.

CHAPTER V.—ARREARS AND MODE OF RECOVERING THEM

LIABILITY FOR REVENUE AND DEFAULT

63. Liability for land-revenue, etc.—Land-revenue payable in respect of any estate shall be due jointly and severally from all persons who have been in possession of the estate or any part of it during any portion of the agricultural year in respect of which that revenue is payable.

64. Liability for house-tax of families of cultivators.—When tax is imposed on a family or house in respect of the cultivation of any land, the amount due for any year of assessment from the family or house shall be due jointly and severally from all males of the family or house who, at any time during the year, being then above the age of eighteen years, took any part in the cultivation of that land.

65. Procedure when co-proprietor of permanently-settled estate desires to pay separately.—(1) When there are several recorded proprietors of a permanently-settled estate, any one of them, whether he is entitled to a share of the estate or to particular lands comprised therein, may, if he desires to pay his share or portion of the revenue separately, submit a written application to that effect to the Deputy Commissioner specifying his share of the estate or the particular lands therein to which he is entitled, and when he claims particular lands the portion of the revenue for which, as between him and his co-proprietors, he is liable.

(2) The Deputy Commissioner shall then publish a notice requiring all persons who object to the application to appear within six weeks from the date of the notice and give in a written statement of their objections.

(3) If within the period specified in the notice no objection is made by any recorded co-proprietor of the estate, the Deputy Commissioner shall open separate accounts for the applicant's share or lands and for the aggregate of the shares or lands of the other proprietors, and shall credit separately in those accounts all payments made by him and them respectively.

(4) If any recorded co-proprietor of the estate objects that the applicant has no right to the share or lands claimed by him, or that his interest in the estate is less or other than that claimed by him, or, if the application is in respect of particular lands, that the amount of revenue stated by the applicant to be payable on account of those lands is not the amount which is recognised among the co-proprietors as the revenue thereof, the Deputy Commissioner shall refer the parties to the Civil Court, and shall suspend proceedings until the objection is withdrawn or the question at issue is judicially determined.

(5) The opening of separate accounts under this section shall not affect the joint and several liability imposed by section 63 except in so far as is, by this Regulation, expressly provided.

Note.—(1) If a person owns particular lands in an estate, a person owning a share of the residue would not own a share of the estate but of particular lands, and he could therefore only open a separate account for the actual plots held by him, and not for his share in the residue; the Regulation makes no provision for opening a separate account for a share of particular lands.

Note.—(2) In a case in which a *halabadi* and a *dassana* estate, settled with the same owners were intermingled in such a way that while it was possible to define the boundaries of the aggregate of the two, it was impossible to determine which lands within those boundaries belonged to each, it was ruled that no separate account could be opened for lands within those boundaries, inasmuch as it is clear from section 65 that in order that a separate account may be opened in respect of particular lands, they must be ascertained to be in some particular estate.

Note.—(3) Separate account cases must not be postponed until arrears of revenue are paid.

Note.—(4) If in any case in Sylhet in which a person having opened separate accounts allows one portion of his estate to be brought to sale, the auction-purchaser complains that the opening of a separate account was secured by collusion and fraud, and that the apportionment of the *jama* is wrong, the Deputy Commissioner should call on the owners of the unsold portion of the estate to show cause against the order for a separate account being set aside and if they are unable to show cause, he should report the matter to the Commissioner for the orders of Government.

66. Revenue when due, and where and to whom payable.—Every sum payable under this Regulation, on account of land-revenue, shall fall due on such date, and shall be payable in such manner, in such instalments, at such place and to such person, as may be prescribed.

Note.—The instalments of land-revenue and the dates on which they are due, in force in the several districts, will be found in Part II, Chapter V, SECTIONS I and V.

67. "Arrear" and "defaulter" defined.—Land-revenue not paid on the date when it falls due shall be deemed to be an arrear; and every person liable for it shall be deemed to be a defaulter.

NOTICE OF DEMAND

68. Penalty leviable on arrears and notice of demand.—(1) When an arrear has accrued, an additional charge by way of penalty not exceeding one rupee may be levied.

(2) If the arrear is not in respect of a permanently-settled estate, the prescribed officer may in his discretion, before employing any of the processes for enforcing payment prescribed by this Chapter, issue a notice of demand, calling on the defaulter to pay the amount within a time specified.

Provided that, in such classes of cases, not being cases in which an arrear has accrued in respect of a permanently-settled estate, as the Provincial Government may direct in this behalf, the prescribed officer shall not employ any such process for enforcing payment as aforesaid, until he has issued a notice of demand and the defaulter has failed to pay the arrear within the time specified in such notice.

Note.—(1) For the "prescribed officer" referred to in this section, see rule 133 in Part II, Chapter V, SECTION I.

Note.—(2) This section, it will be observed, empowers a Deputy Commissioner to issue in his discretion a notice of demand as an alternative to a warrant, and the issue of notice should precede the issue of warrant in the case of land-holders of position who are ordinarily regular payers.

Note.—(3) In the case of temporarily-settled areas in Sylhet [and Cachar] the practice of issuing a notice of demand has been discontinued.

Note.—(4) In the case of temporarily-settled estates in the Assam Valley, the notice of demand has been dispensed with, but *mauzadars* are required to send warning notices by post or messenger before proceeding to attach a *raiya*'s property.

SALE OF MOVEABLES

69. Attachment and sale of moveables.—(1) The Deputy Commissioner may, for the recovery of an arrear, order the attachment and sale of so much of a defaulter's moveable property as will, as nearly as may be, defray the arrear.

(2) Every such attachment and sale shall be conducted according to the law for the time being in force for the attachment and sale of moveable property under a decree of a Civil Court, [subject to such modifications thereof as may be prescribed by rules framed by the Chief Commissioner for proceedings under the Manipur Land and Revenue Regulation.]

(3) Nothing in this section shall authorise the attachment and sale of necessary wearing apparel, implements of husbandry, tools of artisans, materials of houses and other buildings belonging to and occupied by agriculturists, or of such cattle or seed-grain as may be necessary to enable the defaulter to earn his livelihood as an agriculturist.

Note.—When the Deputy Commissioner intends to proceed against a defaulter's moveable property lying in a district, other than the district in which the arrear accrued, the provisions of section 3 of the Revenue Recovery Act (Act I of 1890) should be followed.

ATTACHMENT OF DEFAULTING ESTATE

69A. Attachment of estate, application of profits and duration of attachment.—

(1) When an arrear has accrued in respect to a temporarily-settled estate, the Deputy Commissioner, with the previous sanction of the Chief Commissioner, may attach the estate, and may take it under his own management or may let it in farm.

(2) During the continuance of such attachment, the settlement-holder shall be excluded from possession of the land attached, and the Deputy Commissioner or the person to whom it is let in farm by the Deputy Commissioner shall have all the rights of the settlement-holder to manage the estate, and to realise the rents and profits arising therefrom.

(3) The surplus profits of the estate, after defraying the costs of attachment and of collection, shall be applied, first, to the payment of any revenue becoming due in respect of such estate during the attachment, and, next, to discharging the arrear for the recovery of which the attachment was made.

(4) The attachment shall continue until the arrear is paid or realised from the profits of the estate attached, or the Deputy Commissioner reinstates the settlement-holder in possession:

Provided that, without the sanction of the Chief Commissioner, no attachment shall continue for a longer period than five years.

69B. (1) When an arrear has accrued in respect of any estate pertaining to a religious institution, the Deputy Commissioner after consultation with the Managing Committee of the religious institution, if there be any, may, with the previous sanction of the Chief Commissioner, attach such estate and may take it under his own management or may let it out in farm.

(2) Whenever the Deputy Commissioner attaches under sub-section (1) an estate pertaining to a religious institution to which another estate or other estates in the same district pertain, the Deputy Commissioner, may, with the previous sanction of the Provincial Government, also attach such other estate or some or all of such other estates, and take it or them under his own management or let it or them out in farm.

(3) During the continuance of an attachment under sub-section (1) or (2), the settlement-holder, or when an estate is lakheraj or revenue-free, the lakherajdar or proprietor, as the case may be, shall be excluded from possession of the land attached; and the Deputy Commissioner or the person to whom it is let in farm by the Deputy Commissioner shall have all the rights of the settlement-holder, lakherajdar or proprietor, as the case may be, to manage the estate or estates and to realise the rents and profits arising therefrom.

(4) (i) The income of every estate attached under sub-section (1) or (2) shall be applied as follows:—

Firstly, to the defraying of the costs of attachment, management and collection in respect of all the estates so attached;

Secondly, to the payment of all sums lawfully due to the Government on account of revenue or otherwise in respect of any of the estates under attachment; and

Thirdly, to the discharge of the arrear for the recovery of which the attachment was made.

(ii) Should any surplus remain after the appropriations as aforesaid, it shall be paid to the person conducting the daily worship or prayer at the institution concerned on his furnishing such security as the Deputy Commissioner may require.

5. (i) Save as provided in clauses (ii) and (iii) of this sub-section, every attachment under sub-section (1) or (2) shall continue until the arrears in respect of all the estates so attached are fully realised or paid.

(ii) When an estate is released from attachment, the Deputy Commissioner shall forthwith reinstate the settlement-holder. Iakherajdar or proprietor, as the case may be in possession :

Provided that if the Deputy Commissioner is not satisfied that the future management of any such estate or estates would be such as would adequately ensure the punctual payment of future dues to Government in respect of such estate or estates, he may, with the previous sanction of the Provincial Government maintain the attachment of such estate or estates in force until he is so satisfied.

(iii) No attachment shall continue for a period longer than two years, without the previous sanction of the Government.

SALE OF DEFAULTING ESTATE

70. When estate may be sold.—When an arrear has accrued in respect of a permanently-settled estate or of an estate in which the settlement-holder has a permanent, heritable and transferable right of use and occupancy, the Deputy Commissioner may sell the estate by auction:

Provided that—

- (1) [except when the Chief Commissioner by general order applicable to any local area or any class of cases, or by special order, otherwise direct], an estate which is not permanently-settled shall not be sold unless the Deputy Commissioner is of opinion that the process provided for in section 69 is not sufficient for the recovery of the arrear;
- (2) if the arrear has accrued on a separate account opened under section 65, only the shares or lands comprised in that account shall in the first place be put up to sale; and, if the highest bid does not cover the arrear, the Deputy Commissioner shall stop the sale, and direct that the entire estate shall be put up for sale at a future date, to be specified by him; and the entire estate shall be put up accordingly and sold;
- (3) no property shall be sold under this section—
 - (a) for any arrear which may have become due in respect thereof while it was under the management of the Court of Wards, or was so circumstanced that the Court of Wards might have exercised jurisdiction over it under the law for the time being in force; or
 - (b) for any arrear which may have become due while it was under attachment by order of a revenue authority.

Note.—(1) In the temporarily-settled estates, sale must not be resorted to as a general measure without the previous sanction of the Provincial Government which can only be given when it is clearly shown that the realisation of the arrears by the ordinary process is likely to be more than usually difficult.

Note.—(2) Officers holding revenue sales of temporarily settled Estates are required to ignore the bids of those who are not *bona fide* cultivators such as Marwaris and others.

Note.—(3) Ministerial or menial officers are not allowed to have anything to do with the sale or purchase of defaulting estates otherwise than to the extent necessary for the performance of their duties as officers of Government.

Note.—(4) No *mauzadar* shall, without the permission of the Deputy Commissioner or Subdivisional Officer, bid for or purchase land sold at his instance for arrears of revenue in his *mauza*.

Rulings.—(1) A person who had no interest in an estate was in adverse possession of lands really included in the estate which was sold under section 70 of the Manipur Land and Revenue Regulations; he claimed those lands as situated within a neighbouring estate owned by him; his adverse possession had not at the time of sale, continued for the statutory period so as to ripen into ownership:

Held that he was not a defaulting proprietor at the date of the sale and as he was a stranger to the proceedings for delivery of possession, the symbolical delivery could not avail against him. [*Jitendra Kumar Pal Chowdhury versus Mohendra Chandra Sarma and others*,—24 C. L. J. 62 (July 1914)].

(2) On a sale held under section 70 of the Assam Land and Revenue Regulation on account of an arrear, a person who has acquired a good title by adverse possession against the original proprietor at the time of sale, is a defaulter and

cannot assert a good title as against the purchaser, an unrecorded proprietor of the estate.

What is sold is the estate and the purchaser is entitled to take that estate as against the defaulting proprietors. [*After Ali and others versus Brojendra Kishore Roy Chowdhury*,—24 C. L. J. 60 (February 1915).]

(3) Where persons had acquired, by adverse possession, the proprietary interest in a part of an estate and had allowed the revenue to fall into arrear for which it had to be sold under the Assam Land and Revenue Regulation, they were defaulters by reason of section 67 read with section 63 and not mere incumbrancers. The fact that they claimed to possess the land as part of a different estate was immaterial [*Mahim Chandra Chowdhury versus Pyari Lal Das*,—I.L.R. 44, Cal. 412, (May 1916).]

(Seems to dissent from, without mentioning, the ruling in I.L.R. 43, Cal. 779.)

(4) A purchaser at a sale for arrears of revenue under section 70 of the Assam Land and Revenue Regulation is entitled to sue the defaulting proprietors for recovery of possession within twelve years from the date of delivery of symbolical possession to him.

Such a purchaser may be one of the defaulting proprietors and he will have the same rights; except, however, in a possible case when the default and the sale are found to have been fraudulently procured by him whereby his very right of suing to recover possession from his previous co-owners is affected.

The article of the Limitation Act applying to such suits is not Art. 121 but 142 or 144. [*Baikuntha Nath Das versus Sheikh Azidulla and others*,—C.W.N. 778, (February 1928).]

71. Estate to be sold free of incumbrances.—Property sold under section 70 shall be sold free of all incumbrances previously created thereon by any other person than the purchaser:

Provided that—

first, nothing in this section shall apply—

(a) in a permanently-settled estate,—

(1) to tenures which have been held from the time of the Permanent Settlement; or

(2) to tenures held immediately of the proprietors which have been created since the Permanent Settlement and which have been registered under Chapter IV;

(b) in any estate, to tenures created *bona fide* and at a rent no less than the full amount of the revenue fairly payable in respect of the land;

secondly, nothing in this section shall entitle a purchaser to eject any tenant having a right of occupancy under the Rent Law for the time being in force, or to enhance the rent of any such tenant otherwise than in the manner prescribed by that law;

thirdly, nothing in this section shall apply when the purchaser is a recorded or unrecorded proprietor or settlement-holder of the estate.

Ruling.—A purchaser of a part of a permanently-settled estate is entitled to the benefit of section 71 of the Assam Land Revenue Regulation, inasmuch as in section 71 the words used are “property sold under section 70”, and the property to which reference is made in section 70 includes both an estate as well as a share in respect of which revenue has been separately apportioned. [*Mahomed Nasim versus Kast Nath Ghose and another*,—I.L.R. 26, Cal. 194, (August 1898).]

72. Notice of sale.—(1) If the Deputy Commissioner proceeds to sell any property under section 70, he shall prepare a statement in manner prescribed, specifying the property which will be sold, the time and place of sale, the revenue assessed on the property and any other particulars which he may think necessary.

(2) A list of all estates for which a statement has been prepared under sub-section (1) shall be published in manner prescribed, and the copy of the statement relating to every such estate shall be open to inspection by the public free of charge in manner prescribed.

(3) If the revenue of any estate for which a statement has been prepared under sub-section (1) exceeds five hundred rupees, a copy of the statement shall be published in the official Gazette.

Note.—Sales for arrears need not be published in the Gazette unless the revenue of the share to be sold for arrears exceeds Rs. 500; the total revenue paid by the estate is immaterial.

(4) When the arrear has accrued on an estate, a copy of the statement prepared under sub-section (1) shall be served on the defaulter, or, if he cannot be found, posted on the estate in manner prescribed.

73. Proclamation to tenants of defaulter.—Whenever any property is notified for sale under section 72, the Deputy Commissioner may publish a proclamation forbidding the tenants of the defaulter to pay to the defaulter any rent which has fallen due since the arrear accrued, on pain of not being entitled to credit in their accounts with the purchaser for any sum so paid.

74. Sale by whom and when to be made.—(1) Every sale under this Chapter shall be made either by the Deputy Commissioner in person, or by an officer specially empowered by the Provincial Government in this behalf.

(2) No such sale shall take place on a Sunday or other authorized holiday, or until after the expiration of at least thirty days from the date on which the list of estates has been published under section 72.

Note.—The date of sale should be so fixed that the day preceding the sale is an open day and not a gazetted holiday.

(3) The Deputy Commissioner may, from time to time, postpone the sale, and every postponement of sale of a permanently-settled estate shall be reported to the Chief Commissioner.

75. When sale may be stayed.—If the defaulter pays the arrear of revenue in respect of which the property is to be sold, and the fee (if any) prescribed in this behalf, at any time before the day fixed for the sale, the sale shall be stayed.

Note.—(1) For the fee prescribed under this section see rules 165 and 169 in Part II, Chapter V, SECTIONS III and IV.

(2) The Deputy Commissioner of Sylhet should have a notice stuck up outside his own and subdivisional cutcheries warning the public that tender of payment of arrears on the day of sale will not be accepted for very special reasons.

76. Right of co-proprietors to purchase share or land sold on separate account.—Where the arrear has accrued on a separate account opened under section 65, and a sale of the entire estate has been directed under section 70, proviso (2), any proprietor of the estate who is not comprised in the separate account may, within ten days from the time at which the direction is given, purchase the share or lands comprised in the separate account by paying the amount of the arrear, and the provisions of section 71 shall, notwithstanding the third proviso thereto, apply to such a purchase.

Note.—In a case where a separate account had been opened for a portion of an estate and the estate was sold for arrears accruing on the remaining portion, it was held by the Local Government that under section 65(3) there must necessarily be a separate account for the remaining portion, and, therefore, a proprietor having any share in that portion is not entitled to purchase the estate under this section.

77. Deposit by purchaser.—The person declared to be the purchaser at an auction-sale under the foregoing sections shall be required to deposit immediately twenty-five per centum on the amount of his bid, and in default of such deposit the property shall forthwith be again put up and sold.

78. Payment of balance of purchase-money and consequences of default.—(1) The full amount of purchase-money shall be paid by the purchaser before sunset of the fifteenth day from date on which the auction-sale took place, or, if that day is a Sunday or other authorized holiday, then on the next following office day.

(2) In default of payment within that period, the deposit, after defraying thereout the expenses of the sale, shall be forfeited to the Government, the property shall be re-sold, and the defaulting purchaser shall forfeit all claim to the property, or to any part of the sum for which it may be subsequently sold:

Provided that no re-sale under this section shall be made unless and until a fresh notice has been issued in the manner prescribed for the original sale.

(3) If the proceeds of the sale which is eventually made are less than the price bid by the defaulting purchaser the difference shall be leviable from him under the provisions of this Chapter as if it were an arrear.

Provided that the provisions of this section shall not apply to any case in which the sale has been set aside under section 78A before the full amount of purchase-money falls due under sub-section (1) of this section.

78A. Application to set aside sale on depositing percentage of purchase-money.—(1) Where an estate has been sold under section 70 or 76 any person, at or before

noon on the sixtieth day from the date of sale, reckoning the said day of sale as the first of the said sixty-days, may apply on or before the thirtieth day from the date of sale to have the sale set aside and depositing in the Deputy Commissioner's Court—

- (a) for disposal as directed in sub-section (2) a sum equal to five per cent. of the purchase-money up to Rs. 1,000 and to three per cent. on the excess over Rs. 1,000: provided that such sum shall not be less than one rupee, and
- (b) for payment to the Provincial Government, the amount specified in the proclamation of sale as that for recovery of which the sale was ordered together with the expenses of the sale.

(2) If deposit and application be made as aforesaid, the Deputy Commissioner shall set aside the sale and shall cause to be repaid to the purchaser the purchase-money so far as it has been deposited together with the deposit made under sub-section (1)(a), unless the former has been forfeited to the Government under sub-section (2) of section 78, in which case the latter sum shall also be forfeited to the Government:

Explanation.—The word 'estate' in this section includes a separate account opened under section 65.

Note.—In computing the period prescribed for filing an application under section 78A, the day of sale should be excluded.

Ruling.—Similarly worded provisions occur in section 174 of the Bengal Tenancy Act and in Order 21, Rule 90 of the Code of Civil Procedure. Under these provisions, the High Court have held that a decree-holder attaching a property in execution of the decree, or a person attaching a property before judgment, who has obtained a decree before the date of sale, is a person entitled to apply. (*Bulanda Bashini Dassi versus Pran Govinda Dhar*—40 C.W.N., Page 1334, and *Govinda Prosad Dalal versus Brindaban Chandra Nesipori and others*—46 C.W.N., Page 1333.)

(3) Nothing in this section shall be deemed to create in favour of the person making such deposit any title or right to such estate or part of estate, merely by virtue of the fact that he has made such deposit or that the sale has been set aside at his instance.

79. Application to set aside sale on ground of mistake or irregularity.—At any time within sixty days from the date of the sale, application in writing may be made to the Chief Commissioner to set aside the sale on the ground of some material irregularity or mistake in publishing or conducting it:

Provided that no sale shall be set aside on this ground unless the applicant proves to the satisfaction of the Chief Commissioner that he has sustained substantial injury by reason of the irregularity or mistake complained of:

Provided also that the non-delivery or misdelivery of a registered cover despatched under section 72, sub-section (5), shall not, for the purposes of this section, be deemed an irregularity or mistake in publishing or conducting the sale.

Note.—(1) Appeal under this section may be presented to the Deputy Commissioner, for transmission to the Commissioner. The Deputy Commissioner should forward such appeals with his report and with the record of the case, together with a translation of the petition of appeal, if it is in the vernacular. Appeals withdrawn on compromise need not be reported.

(2) Before any recommendation is made for the annulment of the sale of an estate for arrears of revenue under section 79 or section 81 of the Regulation, a deposit should be required of a sum of money sufficient to cover the arrears of revenue for which the estate is sold, the cost of sale, the claim for interest at the rate of 6 per cent. per annum on the purchase-money, as also all intermediate payments of Government dues which may have been made by the auction purchaser. In cases in which no recommendation for annulment of sale is made, but the sale is set aside by the Commissioner or the Provincial Government on appeal, the payment of interest on purchase money at 6 per cent. per annum is always made one of the conditions of the order passed, and if that condition is not complied with, the order becomes null and void or, in other words, the sale becomes final. It is for the Deputy Commissioner concerned to insist upon compliance, within a reasonable time, with the conditions which may be imposed by the orders passed by the Commissioner or the Provincial Government, and for this purpose a period of 15 days from the date on which the order are communicated to the appellant may be considered a reasonable interval to allow.

(3) The following procedure is recommended for the recovery of interest charges when the *mauzadar* or revenue office is at fault in sale cases:—

- (i) where the *mauzadar* after accepting payment of revenue does not take proper steps to stop the sale, he shall bear the interest on the purchase money;
- (ii) where the *mauzadar* proves that a report for stay of the sale was duly submitted, the fault should be presumed to be with the dealing clerk in the office who should therefore bear the interest charges;
- (iii) and finally where the *mauzadar* alleges but cannot prove that a report for stay of the sale was duly submitted, the interest charges should be distributed by the Deputy Commissioner between the *mauzadar* and the dealing clerk on the basis of the evidence available.

(4) Deputy Commissioners should insist on the grounds of appeal being clearly and unequivocally stated before they receive or forward to higher authority a petition of appeal.

(5) A Deputy Commissioner is not bound to hear a pleader when a report on a petition for setting aside a sale comes before him.

80. Sale when final.—(1) A sale on which the purchase-money has been paid as directed in section 78, and against which no application under section 78A or 79 has been preferred, shall, subject to the provision of sections 81 and 82, be final at noon of the sixtieth day from the day of sale, reckoning the said day of sale as the first of the said sixty days.

(2) A sale against which such an application has been preferred and has been dismissed by the Chief Commissioner shall, subject as aforesaid, be final from the date of the dismissal, if more than sixty days from the day of sale, or, if less, then at noon of the sixtieth day as above provided.

Ruling.—What is stated in the sale certificate as the date of confirmation of sale cannot operate in law as the date when the sale became final under section 80 of the Assam Land and Revenue Regulation. [*Jitendra Kumar Pal Chowdhury versus Mohendra Chandra Sarma and others*,—24 C.L.J., 62 (July 1914)].

Obiter.—A sale certificate is not conclusive as to the date on which a sale under section 70 of the Assam Land and Revenue Regulation becomes final. [*Baikuntha Nath Das versus Sheik Azidulla and others*,—32 C.W.N., 778 (February 1928)].

81. Annulment of sale on ground of hardship.—The Chief Commissioner may, on application made to them at any time within one year of a sale becoming final under section 80, set the sale aside on the ground of hardship or injustice.

See Notes under section 79.

82. Annulment of sale by Civil Court.—(1) A sale for arrears of revenue shall not be annulled by a Civil Court, except on the ground of its having been made contrary to the provisions of this Regulation, and on proof that the plaintiff has sustained substantial injury by reason of the neglect of those provisions.

(2) A suit to annul such a sale shall not be entertained upon any ground, unless that ground has been specified in an application made to the Chief Commissioner under section 79, or unless it is instituted within one year from the date of the sale becoming final under section 80.

(3) No person shall be entitled to contest the legality of a sale after having received any portion of the purchase-money.

83. Saving of right to sue for damages.—Nothing in the foregoing sections shall be construed to debar any person, considering himself wronged by any act or omission connected with a sale under this Regulation, from his remedy in a suit for damages against the person by whose act or omission he considers himself to have been wronged.

84. Re-payment of purchase-money when sale is set aside.—Whenever the sale of any estate is set aside, except under Section 78A, the purchaser shall be entitled to receive back from the State Government his purchase-money, except the surplus thereof (if any) paid away under the last clause of section 87, with or without interest, at such rate, not exceeding six per centum per annum, as the Provincial Government think fit.

85. On sale becoming final, purchaser to be put in possession.—(1) After a sale has become final, the Deputy Commissioner shall put the purchaser into possession of the property sold, and shall grant him a certificate to the effect that he has purchased the property to which the certificate refers.

(2) The certificate shall bear the date on which the sale became final under section 80, and the title to the property sold shall vest in the purchaser from the date of the certificate, and not before.

(3) A certificate granted to a purchaser under this section shall be conclusive evidence in his favour, and in favour of any person claiming under him, that every publication, serving, posting or despatch of any statement, list, notice or letter required by this Regulation, or the rules made under it, to be published, served, posted or despatched has been duly effected; and the title of any person who has obtained any such certificate or of any person claiming under him, shall not be impeached or affected under section 82 or otherwise by reason of any omission, informality or irregularity as regards the publication, serving, posting or despatching of any statement, list, notice or letter in the proceedings under which the sale was held at which the property was purchased:

Provided that nothing in this sub-section shall effect the power conferred on the Provincial Government by section 81.

Ruling.—A suit for recovery of possession brought within 12 years from the date on which the Collector gave symbolical possession to the purchasers, is within time. [*Mukim Chandra Choudhury versus Pyari Lal Das*,—*I.L.R.* 44 Cal. 412 (May 1916).]

86. Bar of suit against certified purchaser.—The name of the purchaser to be entered in the certificate shall be that of the person declared at the time of sale to be the actual purchaser, and any suit brought in a Civil Court against the certified purchaser on the ground that the purchase was made on behalf of another person not the certified purchaser, though by agreement the name of the certified purchaser was used, shall be dismissed with costs.

87. Application of proceeds of sale.—When a sale has become final under section 80, the proceeds of the sale shall be applied—

first, to defraying the expenses of the sale;

secondly, to the payment of the arrear due;

thirdly, to the payment of any other arrear due by the same defaulter;

and the surplus, if any, shall be paid to the person whose property has been sold, and shall not, except under an order of a Civil Court, be payable to any creditor of that person.

Note.—(1) Payment before suit, if made to a wrong person, may subject Government to a second claim from the rightful owner, but after a Civil Court has given a decree in favour of any person and Government has in compliance therewith paid him, it does not seem probable that any second claim against Government could stand good. Nonetheless, as Government has a residuary right to all unclaimed deposits, this interest alone will justify Government in meeting all such suits with resistance until a good title as proprietor has been made out by the claimant. When therefore a suit is brought, so far should Government contest it as shall secure that a *bona fide* good title is shown before a decree is passed.

(2) The claims of proprietors on account of the surplus sale proceeds of their estate should never be rejected on the ground of limitation.

88. Liability of purchaser for revenue.—The person named in the certificate of title as purchaser shall be liable for all instalments of land-revenue becoming due in respect of the property purchased subsequently to the accrual of the arrear for the recovery of which the property was sold.

89. Right of pre-emption.—When an estate held by settlement-holders situate in any local area to which the Chief Commissioner may, by notification, apply this section, is sold under section 70, any recorded settlement-holder of the estate, not being himself in arrear with regard to the revenue which, as between him and the other settlement-holders, is payable by him, may, if the lot has been knocked down to a stranger, claim to take the property at the sum last bid:

Provided that the claim is made on the day of sale, and before the officer conducting the sale has left the office for the day, and that the claimant fulfils all the other conditions of the sale.

Note.—The provisions of this section have been extended to all the plains districts.

ANNULMENT OF SETTLEMENT

90. Annulment of settlement.—(1) Where the estate in respect of which the arrear has accrued is not a permanently-settled estate, and is situate in any local area to which the Provincial Government may, by notification, apply this section, if the process provided for in section 69 is not sufficient for the recovery of the arrear, the Deputy Commissioner may, by proclamation published in the prescribed manner, annul the existing settlement of the estate and relinquish the claim of the Government to the arrear:

Provided that—

(a) if the arrear is in respect of an estate in which the settlement-holder has a permanent, heritable and transferable right of use and occupancy, the Deputy Commissioner shall not, unless the Chief Commissioner otherwise, by rule, direct, annul the settlement without the sanction of the Chief Commissioner;

(b) this section shall not apply to the recovery of any arrear which may have accrued on an estate—

(1) while it was under the management of the Court of Wards or was so circumstanced that the Court of Wards might have exercised jurisdiction over it under the law for the time being in force; or

(2) while it was under attachment by order of a revenue authority.

(2) Upon the publication of a proclamation under this section, all incumbrances, other than the tenures mentioned in section 71, proviso first, clause (b), affecting the estate, or any portion thereof, shall become void, and the Deputy Commissioner may eject the settlement-holder from possession and may enter upon and manage the estate and receive all rents and profits accruing therefrom, or may dispose of the estate, in accordance with the rules issued by the Chief Commissioner under section 12.

Note.—(1) The provisions of section 90 have been extended to all the districts in which the Regulation generally is in force.

(2) Deputy Commissioners have power to annul for arrears the settlement of estates in which the settlement-holders have not a permanent, heritable, and transferable right of use and occupancy. The annulment of settlement of an estate carries with it the remission of the arrear due thereon, and it is not necessary to apply for separate sanction to the remission.

(3) Deputy Commissioners are empowered to remit process fees in all cases in which the original demand is remitted or the process has been issued by mistake.

(4) An order formally annulling settlement should invariably be recorded when arrears due on annual *pattas* other than in *faul fearar* cases are remitted by Deputy Commissioners. Deputy Commissioners should submit to the Commissioner a quarterly return in Form No. 103, showing the number of annual estates in each subdivision the settlement of which has been annulled during the quarter under section 90 of the Regulation and the amount of revenue remitted thereon.

(5) When under this section possession of an estate has been taken on behalf of Government, the Deputy Commissioner may, if immediate eviction would cause undue hardship, allow the former tenants or members of his family to continue to reside in the homestead free of rent, or subject to such rent as he may think fit, for the period of one year and may, for special reasons, extend the terms for such residence from year to year. Details of all cases of this nature shall be entered in a register to be kept in the Deputy Commissioner's office.

(6) See also rule 150 in Part II, Chapter V. To provide for the treatment of contumacious defaulters the following executive instructions were issued:—

(i) No land the settlement of which has been annulled on account of arrears will be resettled with the defaulter or with any member of a joint family to which the defaulter belongs, without the special sanction of the Deputy Commissioner or Subdivisional Officer. Such sanction will not be given unless and until the arrears on account of which the settlement has been annulled have been first paid, with all costs of proceedings taken for their realisation.

(ii) Every *mandal* will visit at least once a year every field in his circle the settlement of which has been annulled under section 90 and will submit a special report to the *mauzadar* in every case in which he finds that a defaulter has re-occupied land from which he has been ejected, without paying the arrears and obtaining settlement. It will also be the duty of the *gaonburas* to report to the *mauzadar* any such cases which may come to their notice, and the *mauzadar* will report them to the Deputy Commissioner or Subdivisional Officer for orders.

(iii) In resettling lands, the settlement of which has been annulled on account of arrears, preference will be given to an applicant who tenders payment of the arrears and costs. Such land will not, during the agricultural year in which settlement is annulled, be settled with any person without payment of the arrears and costs, otherwise than on annual lease.

SALE OF IMMOVEABLE PROPERTY OTHER THAN THE DEFAULTING ESTATE

91. Power to proceed against defaulter's other immoveable property.—(1) If an arrear cannot be recovered by any of the foregoing processes, and the defaulter is in possession of any immoveable property, other than the estate in respect of which the arrear has accrued, the Deputy Commissioner may proceed against any of that other property situated within his district according to the law for the time being in force for the attachment and sale of immoveable property under the decree of a Civil Court.

(2) If there is no such other property in his district, the Deputy Commissioner may make under his hand a certificate in the prescribed form, of the amount of the arrear remaining unpaid, and may forward the same to the Deputy Commissioner of any other district in which this Regulation is in force, and within the limits of which the defaulter is possessed of any such property, and that Deputy Commissioner shall thereupon proceed to realise the arrear as if it were an arrear accruing in his own district.

Note 1.—This section must be carefully distinguished from section 70. When an estate is sold for its own arrears, section 70 applies; when an estate is sold for arrears not its own, section 91 applies. The sale procedure and the legal effects of the sale are different in the two cases.

When a *mauzadar* defaults and the estate pledged by his surety is sold in consequence under the Regulation, the sale, being of an estate for arrears other than its own, is governed by the provisions of section 91. Accordingly, the sale rules in Order 21 of the Civil Procedure Code must be observed. In particular, as laid down in rule 73 of the aforesaid Order, no officer or other person having any duty to perform in connection with the sale should, either directly or indirectly, bid for the property. The officer conducting the sale should not, therefore, attempt to buy in the property for Government even in the absence of bids from others. Some person not coming within the prohibition contained in the rule cited may, however, with the permission of the officer conducting the sale, bid for and purchase the property on behalf of Government in any case where such a course is considered necessary or desirable.

Note 2.—The expression in sub-clause (1) 'the law for the time being in force for the attachment and sale of immoveable property under the decree of a Civil Court' includes the procedure laid down in the Civil Procedure Code not only for the actual conduct of such attachment and sale, but also for the determination of claims and objections arising out of such sales and for setting them aside. In other words this section confers jurisdiction on the Deputy Commissioner to hear and determine claims and objections arising out of sales of immoveable property held under this section and applications to set aside such sales, in accordance with Order XXI of the Code of Civil Procedure.

SUPPLEMENTAL

92. Recovery of costs.—The costs of serving any notice, proclamation or other process under this Chapter shall be recoverable as part of the arrear in respect of which such process was issued.

93. Recovery of existing arrears.—Arrears of land-revenue due at the commencement of this Regulation shall be recoverable as nearly as may be according to the provisions of this Chapter.

94. Recovery of other money.—The provisions of this chapter shall, so far as may be, apply to the recovery of any sum of money realisable under any enactment for the time being in force as if it were an arrear of land-revenue.

95. Power of Provincial Government to make rules.—The Chief Commissioner may from time to time make rules, not inconsistent with this Regulation, to provide for the proper performance of all things to be done, and for the regulation of all proceedings to be taken, under this Chapter.

Note.—For the rules framed under this Chapter, see Part II, Chapter V.

CHAPTER VI—PARTITION AND UNION OF REVENUE PAYING ESTATES

96. "Perfect partition" and "Imperfect partition" defined.—Partition is either perfect or imperfect. "Perfect partition" means the division of a revenue-paying estate into two or more such estates, each separately liable for the revenue assessed thereon. "Imperfect partition" means the division of a revenue-paying estate into two or more portions jointly liable for the revenue assessed on the entire estate.

97. Persons entitled to partition.—(1) Every recorded proprietor of a permanently settled estate and every recorded land-holder of a temporarily-settled estate may, if he is in actual possession of the interest, in respect of which he desires partition, claim perfect or imperfect partition of the estate:

Provided that—

- (a) no person shall be entitled after the conclusion of the settlement operations immediately following the commencement of this Act to apply for perfect partition if the result of such partition would be to form a separate estate, liable for an annual amount of revenue less than five rupees;
- (b) no person shall be entitled to apply for imperfect partition of an estate unless with the consent of recorded co-sharers holding in the aggregate more than one half of the estate;
- (c) a person may claim partition only in so far as the partition can be effected in accordance with the provisions of this Chapter.

When two or more proprietors or landholders would be entitled under sub-section (1) to partition in respect of their respective interests in the estate, they may jointly claim partition in respect of the aggregate of their interests.

Note.—Applications for partition must not be granted if included in an application for mutation of names.

Rulings.—(1) An estate does not cease to be an entire estate within the meaning of the Assam Land and Revenue Regulation (I of 1886) because a few plots of land are common to it and some other estate, or because they are *brahmutter* or *debutter*, or because they are held in some undefined way jointly with other persons. [*Sarat Chandra Purkayastha versus Prokash Chandra Das Chowdhury and others*—I. L. R. 24, Cal. 751. (May 1897).]

(2) The revenue authorities have jurisdiction to partition a *mauza* appertaining to several estates as a step towards partitioning one of the estates. [*Brojendra Kishore Roy Chowdhury versus Kah Kumar Chowdhury*—I. L. R. 46, Cal. 235 (May 1918).]

(3) The revenue authorities have jurisdiction to partition an estate even when the lands of that estate, in whole or in part, are joint with the lands of other estates. [*Yasin Ali Mirdha and others versus Radhagovinda Chaudhuri and others*—I. L. R. 47, Cal. 354; 26 C. W. N. 361 (August 1919).]

98. Application for perfect partition.—Every application for perfect partition shall be in writing, shall be presented to the Deputy Commissioner, and shall specify the area of the estate, the applicant's interest therein, and the names of the other proprietors or land-holders.

99. Notification of application.—(1) The Deputy Commissioner shall, if the application is in order and not open to objection on the face of it, publish a proclamation at his office, and at some conspicuous place on the estate to which the application relates; and shall serve a notice on all such of the recorded proprietors or land-holders of the estate as have not joined in the application, requiring any of them in possession who may object to the partition to appear before him and state their objections, on a day to be specified in the proclamation and notice, *not* being less than thirty or more than sixty days from the date on which the proclamation is issued.

(2) Where, from any cause, notice cannot be personally served on any proprietor or land-holder, the proclamation shall be deemed sufficient notice under this section.

100. Objection on question of title.—(1) If an objection preferred as required under section 99 raises any question of title which has not been already determined by a Court of competent jurisdiction, the Deputy Commissioner shall stay his proceedings for such time as, in his opinion, is sufficient to admit of a suit being instituted in the Civil Court to try the objection.

(2) A Deputy Commissioner staying his proceedings under this section shall make an order requiring the objector, or, if for any reason he deems it more equitable, the applicant, to institute such a suit within the time fixed, and, in the event of such a suit not being instituted within that time, may, in his discretion, disallow the objection, or dismiss the application, as the case may be.

(3) On a suit being instituted to try any objection, under this section, the Deputy Commissioner shall with reference to the objection, be guided by the orders passed by the Civil Court in the suit.

101. Other objections how dealt with.—If any objection, other than an objection of the nature referred to in section 100, is preferred as aforesaid to the partition, the Deputy Commissioner shall dispose of it himself; unless for any reason he thinks fit to require that it be submitted to a Civil Court for adjudication, in which event the provisions of section 100 shall apply to the objection.

102. Proceedings of Deputy Commissioner after objections have been disposed of.—When the period specified under section 99 has expired, and the objections (if any) made have been disposed of by the Deputy Commissioner or by the Civil Court as the case may be, the Deputy Commissioner shall, if no such objection has been allowed, proceed to make the partition:

Provided that the Deputy Commissioner may, in his discretion, in order to admit of the institution of an appeal from any decision regarding an objection, or for any other reason he deems sufficient, further postpone his proceedings.

103. Mode of partition.—The Deputy Commissioner may give the parties the option of making the partition themselves, or of appointing arbitrators for the purpose; or he may make the partition himself.

104. Power to enter on land for purposes of partition.—In making partitions the Deputy Commissioner, and any person appointed by him, shall have the same powers for entry on the land under partition, for making out the boundaries, surveying and other purposes, as have been conferred on Survey-officers by or under this Regulation.

105. Partition of lands held only in severalty.—Where there are no lands held in common, the lands held in severalty by the applicant for partition shall be declared a separate estate, and shall be separately assessed to the Government revenue.

106. Partition of lands some of which are held in common.—(1) Where some of the lands are held in common, the Deputy Commissioner shall allot to the applicant for partition his share of those lands in accordance with village-custom if any such exists. If no such custom exists, the Deputy Commissioner shall make such division as may secure to the applicant his fair portion of the commonlands.

(2) The portion of the common lands falling by the partition to the share of the applicant shall be added to the land held by him in severalty, and the aggregate thus formed shall be declared a separate estate, and shall be separately assessed to the Government revenue.

107. Partition where all lands are held in common.—Where all the lands are held in common, the Deputy Commissioner shall make such a partition as may secure to the applicant his fair share of the estate, and the land allotted to him shall be declared a separate estate, and shall be separately assessed to the Government revenue.

108. Transfers to be effectuated in making partition.—In making the partition under section 105 or section 106, the Deputy Commissioner shall give effect to any transfer of lands held in severalty, forming part of the estate, agreed to by the parties and made before the declaration of the partition.

109. Estates to be compact.—In all cases, each estate shall be made as compact as possible:

Provided that, except with the sanction of the Chief Commissioner, no partition shall be disallowed solely on the ground of incompactness.

110. Rule when building of one sharer is included in estate assigned to another.—

(1) If, in making a partition, it is necessary to include in the estate assigned to

one sharer the land occupied by a dwelling house or other building in the possession of another co-sharer, that other co-sharer shall be allowed to retain it with any buildings thereon, on condition of his paying a reasonable ground-rent for it to the sharer into whose portion it may fall.

(2) The limits of the land, and the rent to be paid for it, shall be fixed by the Deputy Commissioner.

111. Rule as to tanks, wells, water-courses and embankments.—(1) Tanks, wells, water-courses and embankments shall be considered as attached to the land for the benefit of which they were originally made.

(2) Where from the extent, situation or construction of any such work, it is found necessary that it should continue the joint property of the proprietors or land-holders of two or more of the estates into which the estate is divided, the Deputy Commissioner shall determine the extent to which the proprietors or land-holders of each estate may make use of the work, and the proportion of the charges for repairs to be borne by them respectively, and the manner in which the profits, if any, derived from the work, are to be divided.

112. Rule as to places of worship and burial grounds.—(1) Places of worship and burial grounds, held in common previous to the partition of an estate, shall continue to be so held, unless the parties otherwise agree among themselves.

(2) In such cases they shall state in writing the agreement into which they have entered, and their statement shall be filed with the record.

113. Determination of revenue payable by each portion of divided estate.—(1) The amount of revenue to be paid by each portion of the divided estate shall be determined by the Deputy Commissioner:

Provided that the aggregate revenue of the new estates shall not exceed the revenue assessed on the estate immediately before partition.

(2) The proprietors or land-holders of each of the new estates shall be jointly and severally liable for the portion of the revenue assessed on their estate, whether new acceptances are taken from them or not.

114. Costs.—(1) The Chief Commissioner shall make rules for determining the costs of partition under this Act, the mode in which those costs are to be apportioned, and the parties by whom, and the stage of the proceedings at which, they are to be paid:

Provided that the cost of surveying an estate, when a survey is necessary for the purpose of partition, shall be paid rateably, by all the proprietors or land-holders of the estate, according to their interests therein.

(2) If the costs to be paid by the applicant for partition are not paid within a time to be fixed by the Deputy Commissioner subject to the rules made under this section, the case may be struck off the file.

Note.—For the rules framed under this section, see Part II, Chapter VI.

115. Power to stay partition.—If at any stage of the proceedings there appears to be any reason for stopping the partition, the Deputy Commissioner may, of his own motion, stay the partition and order the proceedings to be quashed.

116. Proclamation of partition.—On completion of a partition the Deputy Commissioner shall publish a proclamation of the fact at his office and at some conspicuous place on each of the new estates or in the estate of which they originally formed part; and the partition shall take effect from the beginning of the agricultural year next after the date of the proclamation.

116A. Procedure to be followed by Deputy Commissioners in giving effect to the partition.—As soon as may be after the date on which the partition takes effect under the last preceding section, the Deputy Commissioner shall deliver to the several sharers possession of the separate lands allotted to them, and for this purpose may, if necessary, summarily eject any proprietor or land-holder who may refuse to vacate the same.

117. Appeal from decision of Deputy Commissioner.—An appeal against the decision of the Deputy Commissioner making a partition shall lie to the Chief Commissioner within one year from the date on which the partition takes effect.

118. Powers to order new all allotment of revenue on proof of fraud or error in the first distribution.—Where the revenue is fraudulently or erroneously distributed at the time of the partition, the Provincial Government may, within twelve years from the time of discovery of the fraud or error, order a new allotment of the revenue upon the several estates into which the estate has been divided, on

an estimate of the assets of each estate at the time of the partition, to be made conformably to the best evidence and information procurable respecting the same.

119. Making of imperfect partition.—Imperfect partition shall be carried on according to the provisions of the preceding sections, so far as they are applicable.

120. Persons entitled to union.—If a recorded proprietor or land-holder is in possession of two or more revenue-paying estates, he may, subject to the rules framed under section 121, claim to have those estates united, and to hold them as a single estate.

121. Power to make rules.—The Chief Commissioner may make rules, not being inconsistent with this Regulation, as to the procedure and principles to be observed in dealing with applications for, and in carrying out, the partition and union of estates, and in assessing the land revenue on estates divided.

Note.—For the rules framed under this section, see Part II, Chapter VI.

CHAPTER VII—POWERS OF OFFICERS

PART A.—REVENUE-OFFICERS

122. Provincial Government.—The Provincial Government shall * * * be the chief controlling authority.

123. Ex-officio Revenue-officers.—Every Deputy Commissioner, Assistant Commissioner and Extra Assistant Commissioner shall be a Revenue-officer for the purposes of this Regulation.

124. Appointment of other Revenue-officers.— * * * The Provincial Government may, for the purposes of this Regulation—

- (a) appoint to each district, in addition to the officers mentioned in section 123, as many other Revenue-officers as they think fit, and
- (b) suspend or remove any officer appointed under this section.

Note.—The following officers have been appointed to be Revenue-officers in addition to the officers mentioned in section 123:—

- (1) *Tahsildars* including *Naib Tahsildars*.
- (2) Sub-Deputy Collectors.
- (3) *Mauzadars* in the Assam Valley.
- (4) Revenue *Nazirs* including *Naib Nazirs*.
- (5) All officers who are authorized to receive payment of land revenue or other money realisable under the Regulation, or rules issued thereunder, and who have given, or are required to give, security for the due performance of their duties.

125. Subdivisional Officer.—(1) The Chief Commissioner may, for the purposes of this Regulation,—

- (a) divide any district into subdivisions, or make any portion of a district a subdivision, and may alter the limits of a subdivision; and
- (b) place any Assistant Commissioner or Extra Assistant Commissioner in charge of one or more subdivisions of a district, and at any time remove him therefrom.

(2) An Assistant Commissioner or Extra Assistant Commissioner in charge of a subdivision shall be called the Subdivisional Officer.

126. Powers of Subdivisional Officers.—(1) A Subdivisional Officer shall, in addition to any other powers conferred on him by or under this Regulation, have the following powers of a Deputy Commissioner, namely:—

- (a) power to dispose of cases of gain by alluvion or by dereliction of a river, and loss by diluvion under section 34;
- (b) power to inquire into and report on revenue-free holdings and to assess revenue on resumed lands under Chapter III, Part E;
- (c) the powers conferred by sections 50 to 58 (both inclusive) in respect of registration;
- (d) power to attach and sell movable property belonging to defaulters under Chapter V, and
- (e) subject to the confirmation of the Deputy Commissioner, power to receive applications and to do all that is necessary for effecting partition and union of estates under Chapter VI.

(2) The Chief Commissioner may confer on any Subdivisional Officer all or any of the other powers of a Deputy Commissioner under this Regulation.

Note.—All Subdivisional Officers in the plains districts of Assam have been vested *ex-officio* with the following powers in addition to those conferred on them by the Regulation:—

- (i) Power to fine for omission to give notice of injury to boundary-marks (section 26).
- (ii) Power conferred by section 65 in respect of the opening of separate accounts.
- (iii) Powers conferred by sections 70, 72, 73, 74, 75 and 85 in respect of the sale of defaulting estates.
- (iv) Powers to proceed against immoveable property for arrears of revenue [section 91 (1)].
- (v) Power to proceed against defaulting Revenue-officers and their sureties (sections 145 and 146).
- (vi) All Subdivisional Officers (except the Subdivisional Officer, North Cachar Hills) in the plains districts of Assam, have been vested with powers to receive and dispose of applications under section 78A.

127. Power to invest Assistant Commissioners, etc., in charge of subdivision with special powers.—The Chief Commissioner may confer upon Assistant Commissioners and Extra Assistant Commissioners not in charge of subdivisions of districts all or any of the powers conferred by or under this Regulation on Subdivisional Officers in such cases or classes of cases as the Deputy Commissioner of the district may, from time to time, refer to them for disposal.

128. Subordination of Revenue-officers.—(1) All Revenue-officers shall be subordinate to the Deputy Commissioner, and shall exercise all powers conferred on them by or under this Regulation subject to his control.

(2) Subject to the general control of the Deputy Commissioner, all Revenue-officers, other than the Subdivisional Officer, in a subdivision shall, unless the Provincial Government otherwise direct, be subordinate to the Subdivisional Officer, and shall exercise all powers conferred on them by or under this Regulation subject to his control.

129. Power to distribute work.—(1) Subject to any rules which the Provincial Government may make in this behalf, a Deputy Commissioner or Subdivisional Officer may refer any case to any Revenue-officer subordinate to him for investigation and report, or, if that officer has power to dispose of the case, for disposal.

(2) Subject as aforesaid, a Deputy Commissioner may direct that any Revenue-officer subordinate to him shall, without such reference, deal with any case or class of cases arising within any specified area, and either investigate and report on the case or class of cases, or if he has power, dispose of it himself.

(3) A subordinate Revenue-officer shall submit his report on any case referred to him under this section for report to the officer referring it, or otherwise as may be directed in the order of reference; and the officer receiving the report may, if he has power to dispose of the case, dispose of the same, or may return it for further investigation to the officer submitting the report, or may hold the investigation himself.

Note.—Rule 184 of the rules in Part II, Chapter VII, framed under sections 129, 152 and 155 (b) and (c), lays down that no case shall be referred for investigation, or report to a Revenue-officer of lower rank than a *Tahsildar*, *mauzadar* or Sub-Deputy Collector, and that no Revenue-officer below that rank shall be directed to deal with, and to investigate and report on, any case or class of cases without reference. These orders, however, only prohibit revenue cases being referred to officers of inferior standing; there is nothing to prevent any officer being employed to hold a local inquiry and report on disputed facts in connection with a case, e.g., questions of disputed possession, boundaries, etc.

130. Power of superior revenue authorities to withdraw and transfer cases.—The Chief Commissioner or a Deputy Commissioner, or Subdivisional Officer may withdraw any case pending before any Revenue-officer subordinate to him, and either dispose of it himself, or refer it for disposal to any other Revenue-officer subordinate to him and having power to dispose of the same.

131. Powers of officers transferred to another district.—Whenever any Revenue-officer who has been invested with any powers under this Regulation in any district or subdivision is transferred to another district or subdivision, he shall, unless the Provincial Government otherwise direct, be held to be invested with the same powers in the district or subdivision to which he is so transferred.

132. Provision for discharge of duties of Deputy Commissioner dying or being disabled.—When a Deputy Commissioner dies or is disabled from performing his duties, such officer as the Provincial Government may by rule direct shall take executive charge of his district, and shall be deemed to be a Deputy Commissioner under this Regulation, until a successor to the Deputy Commissioner so dying or disabled is appointed, and that successor takes charge of his office, or until the person so disabled resumes charge of his office.

PART B.—SETTLEMENT AND SURVEY-OFFICERS

133. Appointment of Settlement-officers.—(1) The Chief Commissioner may appoint a Settlement-officer to be in charge of the settlement of any local area or class of estates, and as many Assistant Settlement-officers as they think fit; and all Assistant Settlement-officers so appointed shall be subordinate to the Settlement-officer.

Note.—(1) All *mauzadars* in the Assam Valley, and in the case of *mauzadars* who are minors, their *sarbarahkars*, have been appointed *ex-officio* Assistant Settlement-officers.

(2) *Mauzadars* in the plains portion of Cachar have been appointed *ex-officio* Assistant Settlement Officers.

(2) The Chief Commissioner may suspend or remove any officer appointed under this section.

134. Appointment of Survey-officers.—(1) The Chief Commissioner may appoint a Survey-officer to be in charge of the survey of any local area or class of estates, and as many Assistant Survey-officers as they think fit; and all Assistant Survey-officers so appointed shall be subordinate to the Survey-officer.

(2) The Chief Commissioner may suspend or remove any officer appointed under this section.

135. Powers of Settlement-officer.—A Settlement-officer shall in addition to any other powers conferred on him by or under this Regulation, have in the local area or class of estates under settlement—

(a) all the powers conferred by Chapter III, Part E, on a Deputy Commissioner; and

(b) when a survey does not form part of the settlement all the powers conferred by Chapter III, Part B, on a Survey-officer.

136. Powers of Assistant Settlement-officers and Assistant Survey-officers.—An Assistant Settlement-officer and Assistant Survey-officer shall have all the powers conferred by this Regulation on a Settlement-officer and Survey-officer, respectively, subject to such restrictions as the Settlement-officer or Survey-officer may, from time to time, impose:

Provided that no Assistant Settlement-officer shall, unless specially empowered by the Provincial Government, have power—

(a) to frame proposals for assessment under section 30

(b) to exclude persons under sections 35 and 36 for refusal to accept settlement; or

(c) to assess land which the Provincial Government has under section 45, sub-section (2), declared liable to assessment.

137. Investing of Settlement-officers with special powers.—The Chief Commissioner may invest any Settlement-officer, Survey-officer, Assistant Settlement-officer, or Assistant Survey-officer with all or any of the powers of a Deputy Commissioner under this Regulation, within such limits, and with such restrictions, and for such period, as they think fit.

Note.—All *mauzadars* in the Assam Valley Districts, and in the case of *mauzadars* who are minors, their *sarbarahkars*, having been appointed as Assistant Settlement Officers, have been invested with the powers—

(a) to effect registration under section 53A in uncontested cases, and

(b) to dispose of, under Chapter VI of the Regulation, all applications for partition of revenue-paying estates in which no objection is preferred.

138. Exercise of powers of Settlement-officer or Survey-officer by other officers.—

(1) At any time during the currency of a settlement the Chief Commissioner may invest any officer with all or any of the powers of a Settlement-officer or Survey-officer under this Regulation, within such limits, and with such restrictions, and for such period, as they think fit.

(2) If no Settlement-officer or Survey-officer is appointed, and no officer is invested with the powers of a Settlement-officer or Survey-officer under sub-section (1), the Deputy Commissioner and Subdivisional Officer (if any) shall have all the powers conferred by this Regulation on a Settlement-officer or Survey-officer as the case may be.

PART C.—MODE OF CONFERRING AND WITHDRAWING POWERS

139. Conferring and withdrawing of powers.—(1) In conferring powers under this Regulation the Chief Commissioner may empower persons by name or classes of officials generally by their official titles, and may vary or cancel any order conferring such powers.

(2) The Chief Commissioner may withdraw from any officer the powers conferred on him by this Regulation.

CHAPTER VIII—PROCEDURE

140. Place for holding Court.—Subject to the orders of the Provincial Government—

A Deputy Commissioner, and Assistant Commissioner, or Extra Assistant Commissioner, (whether in charge or not of a subdivision of a district), a Settlement-officer, an Assistant Settlement-officer, a Survey-officer, and an Assistant Survey-officer may hold his Court at any place within the limits of the district or subdivision to which he is appointed.

141. Power to summon persons to give evidence, etc.—(1) The Provincial Government and any officer mentioned in section 140 may summon any person whose attendance they consider necessary for the purpose of any investigation or other business before them conducted under this Regulation.

(2) All persons so summoned shall be bound to attend either in person or by authorised agent as such officer may direct;

and to state the truth upon any subject respecting which they are examined;

and to produce such documents and other things as may be required.

142. Power to fine person summoned for non-attendance.—If any person fails to comply within the time fixed by a notice served on him with any requisition made upon him under section 141, the officer making the requisition may impose upon him such daily fine as he thinks fit, exceeding fifty rupees, until the requisition is complied with:

Provided that where the amount levied under an order under this section passed by an officer other than the Chief Commissioner exceeds five hundred rupees, the Deputy Commissioner shall report the case to the Chief Commissioner and no further levy in respect of the fine shall be made otherwise than by authority of the Chief Commissioner.

143. Power to refer disputes to arbitration.—(1) The Provincial Government, a Deputy Commissioner, a Subdivisional Officer, a Settlement-officer or an Assistant Settlement-officer, a Survey-officer or an Assistant Survey-officer may, with the consent of the parties, refer any dispute before them to arbitration.

(2) In all cases referred to arbitration the procedure laid down in the Code of Civil Procedure in force for the time being shall be followed so far as applicable, and the officer referring the case shall discharge the functions of the Civil Court.

144. Recovery of fines and costs.—All fees, rents, fines, costs and other money payable under this Regulation, or under rules made by the Provincial Government under this Regulation, shall be recoverable as an arrear of land-revenue.

144A. Recovery of rents, fees, royalties, and of moneys due to the Crown in certain cases.—All rents, fees, and royalties due to the Crown for the use or occupation of land or water (whether the property of the Crown or not) or on account of any products thereof, and all moneys falling due to the Crown under any grant, lease, security bond, or contract which provides that they shall be so recoverable,

may be recovered under this Regulation in the same manner as an arrear of land-revenue.

145. Proceedings against defaulting Revenue-officers.—If a Deputy Commissioner has reason to believe that a Revenue-officer subordinate to him, who has collected any sum due under this Regulation, has absconded, or is about to abscond, without accounting for such sum, he may issue a warrant for the apprehension of the officer, and proceed against him, or cause proceedings to be instituted against him, under Chapter V, as if he were a defaulter in the amount so collected.

146. Proceedings against sureties of defaulters or Revenue-officers.—Any person who has become liable for any amount as surety for a defaulter or Revenue-officer, may be proceeded against in the manner prescribed in Chapter V, as if he were a defaulter in such amount.

147. Officer to whom appeals lie.—

Appeals shall lie under this Regulation as follows:—

- (a) to the Chief Commissioner from any order original or appellate passed by a Deputy Commissioner, a Settlement Officer or a Survey Officer;
- (b) to the Deputy Commissioner, from any order passed by a Subdivisional Officer, an Assistant Commissioner or Extra Assistant Commissioner;
- (c) to the Settlement Officer, from any order passed by an Assistant Settlement Officer;
- (d) to a Survey Officer, from any order passed by an Assistant Survey Officer;

Provided that no appeal shall lie against the following orders:—

- (g) orders of an Assistant Settlement-officer or Assistant Survey-officers under sections 21 and 22;
- (h) orders of a Survey-officer or Settlement-officer—
 - (1) under sections 21, 22 and 24;
 - (2) apportioning the expenses of erecting and repairing boundary-marks in accordance with rules made under section 27;
- (j) orders of a Commissioner imposing a fine not exceeding one hundred rupees;
- (k) any decision given in accordance with an award of arbitrators appointed under section 143, except in the case of fraud or collusion;
- (l) orders under section 148, admitting an appeal after the period of limitation has expired;
- (m) orders expressly declared by this Regulation to be final subject to the provisions of section 151.

148. Limitation of appeal.—(1) Unless otherwise specially provided in the Regulation, or in rules issued under this Regulation,—

- (a) no appeal under section 147, clauses (d), (e), and (f), shall lie after the expiration of thirty days from the date of the order appealed against;
- (b) no appeal under the same section, clause (c), shall lie after the expiration of six weeks from the date of the order appealed against;
- (c) no appeal under the same section, clauses (a) and (b), shall lie after the expiration of two months from the date of the order appealed against.

(2) In computing the period prescribed for an appeal by this section, the day on which the order appealed against was passed, and the time requisite for obtaining a copy of such order, shall be excluded.

(3) An appeal may be admitted after the period of limitation prescribed therefor by this section when the appellant satisfies the officer to whom he appeals that he had sufficient cause for not presenting the appeal within that period.

Note.—in order to enable the appellate authority to calculate the time to be deducted under clause (2) of this section from the period allowed by law for an appeal, the Presiding Officer of the Court whose order is appealed against should certify on the back of the copy of the order appealed against the date on which the copy was applied for and the date on which it was granted.

149. Procedure of Appellate Court on appeal.—The officer to whom the appeal lies may reject the appeal without hearing the respondent (if any); if it or he, as the case may be, admits the appeal it, or he may reverse, modify, or confirm the order appealed against, or it or he may direct such further investigation to be made

or such additional evidence to be taken as it or he may think necessary, or it or he may itself or himself as the case may be take such additional evidence.

Note.—In cases of appeals against orders under Chapter IV, the appellate authority should fill in the final order in the appropriate form (i.e., Form No. 9 of the Assam Schedule XVII—Part I) when registration is allowed by it by reversing or modifying the orders appealed against.

150. Suspension of order appealed against.—In any case in which an appeal is admitted the Appellate Court may, if it thinks fit, pending the result of the appeal, direct the order appealed against to be suspended.

151. Power to call for proceedings of subordinate officers.—The Chief Commissioner, a Deputy Commissioner, a Settlement-officer, and a Survey-officer may call for the proceedings, held by any officer subordinate to it or him, as the case may be, and pass such orders thereon as it or he, as the case may be, thinks fit.

Note.—An order once passed in any case cannot be revised either by the officer who passed it or by his successor in Office. But this order does not apply to summary registration orders.

152. Power to make rules.—The Chief Commissioner may make rules, consistent with this Regulation, to regulate the procedure of officers in the discharge of any duty imposed on them by or under this Regulation, and may by such rules confer upon any officer any power exercised by a Civil Court in the trial of suits.

Note.—For the rules framed under sections 129, 152 and 155 (b) and (c) see Part II, Chapter VII. These rules, which have the force of law, have been supplemented by certain executive orders which will be found in Part VI of this Manual.

CHAPTER IX MISCELLANEOUS

154. Matters exempted from cognizance of Civil Court.—(1) Except when otherwise irregularity.—(1) No proceedings under this Regulation shall be affected by reason of any mistake in the name of any person thereby rendered liable to pay any sum of money, or in the description of any estate in respect of which he is rendered liable to pay, or by reason of any other informality: provided that the provisions of this Regulation, and of the rules passed under this Regulation have been substantially complied with.

(2) No proceedings under this Regulation shall be affected by reason of any irregularity or omission in the publication or service of any notice or proclamation thereunder, unless it is proved that some material injury was caused by such irregularity or omission.

154. Matters exempted from cognizance of Civil Court.—(1) Except when otherwise expressly provided in this Regulation, or in rules issued under this Regulation, no Civil Court shall exercise jurisdiction in any of the following matters:—

- (a) questions as to the validity or effect of any settlement, or as to whether the conditions of any settlement are still in force;
- (b) questions as to the amount of revenue, tax, cess, or rate to be assessed; and the mode or principle of assessment;
- (c) the formation of the record-of-rights, or the preparation, signing, or alteration of any document contained therein;
- (d) claims of persons to perfect partition;
- (e) claims of persons to imperfect partition, except in cases in which a perfect partition could not be claimed from, and has been refused by, the revenue authorities on the ground that the result of such partition would be to form a separate estate liable for an annual amount of revenue less than five rupees.
- (f) the distribution of the land or allotment of the revenue on partition;
- (g) claims connected with, or arising out of, the collection of land-revenue, or any process for the recovery of an arrear of land-revenue or any sum which is by this Regulation, or by any other enactment for the time being in force, realisable as an arrear of land-revenue;
- (h) claims to occupy or resort to lands under sections 13 and 14, and disputes as to the use and enjoyment of such lands between persons permitted to occupy or resort to the same;
- (i) claims to have an allotment made under section 13 or section 14, and objections to the making of such allotment;

- (j) claims to a remission or refund of any revenue, cess, tax, rate, fee, or fine payable or paid under this Regulation or leviable under any enactment for the time being in force as an arrear of land-revenue;
- (k) claims to set aside a decision passed in accordance with an award of arbitrators;
- (l) claims to any office connected with the revenue administration or to any emolument appertaining to such office, or in respect of any injury caused by exclusion, suspension, or removal therefrom; and
- (m) any matter respecting which an order expressly declared by this Regulation to be final, subject to the provisions of section 151, has been passed.

(2) In all the above cases jurisdiction shall rest with the revenue authorities only.

(3) Notwithstanding anything in section 265 or section 396 of the Code of Civil Procedure, a Civil Court may, in the case of a claim for an imperfect partition with respect to which its jurisdiction is not barred by this section, exercise the same powers in making the partition of a revenue-paying estate as it is competent to exercise in making the partition of a revenue-free estate.

(4) When a Civil Court has made an imperfect partition of a revenue-paying estate, the amount of revenue for which each portion of the divided estate is, as between that portion and the other portions, to be liable shall be determined by the Deputy Commissioner in the same manner as if the partition had been carried out by himself under Chapter VI of this Regulation.

Note.—If a *mauzadar* lends money to a *raiyat* to enable him to pay an arrear of revenue, and the arrear is then satisfied, the loan is a debt recoverable in the Civil Court, section 154 (g) being no bar to the suit; but if the *mauzadar* pays the demand without any authority from the *raiyat* he can only proceed against the *raiyat* by revenue process, section 154 (g) being a bar to a civil suit.

Rulings.—(1) The Civil Court has no jurisdiction to entertain a suit for a partition which in essence is an "imperfect partition" of each of four different estates. [*Abdul Khaliq Ahmed and others versus Abdul Khaliq Chowdhury and others*,—I. L. R. 23 Cal. 514 (February 1898).]

(2) Section 154 of the Assam Land and Revenue Regulation which provides that no Civil Court shall exercise jurisdiction in the distribution of land or allotment of revenue on partition is no bar to any unrecorded co-sharer, who was not allowed to intervene in partition proceedings before the revenue authorities, instituting a suit for a declaration of his title to a share of the estate and for confirmation of possession, when the partition proceedings before the revenue authorities had not yet been completed. [*Habram Das and others versus Hemnath Sarma and others*,—19 C. W. N. 1068 (May 1915).]

(3) The Civil Court has jurisdiction to partition any specific lands included in a revenue-paying estate provided that a partition of the entire estate is not involved [*Rajendra Narain Chowdhury versus Satis Chowdhury*,—I. L. R. 59 Cal. 948 (February, 1923).]

(4) Under section 154 (1) (e) read with section 96 of the Assam Land and Revenue Regulation, actual partition, perfect or imperfect, of revenue-paying properties must be made by the revenue authorities.

But the jurisdiction of the Civil Court to determine the rights of the parties to the property in dispute as well as the shares to which they are entitled has not been taken away by the Regulation in question, and the Civil Court must also decide whether the property is liable to partition or not. (*Rukya Bibi versus Nazira Banu*,—I.L.R. 55 Cal. 448 (June 1926).)

155. Additional power to make rules.—The Chief Commissioner may, in addition to the other matters for which they are empowered by the Regulation to make rules, make rules, consistent with this Regulation relating to the following matters:

- (a) the person by whom, and the time, place, and manner at or in which, anything is to be done, for the doing of which provision is made in this Regulation or the rules made thereunder;
- (b) the mode in which notices, proclamations, summonses, warrants, and other processes issued under this Regulation shall be issued, published, and served, and the fees to be charged for the issue, publication, and service of such processes;
- (c) the costs of all proceedings under this Regulation;

- (d) the manner in which representatives shall be appointed to act in matters relative to this Regulation on behalf of any body of settlement-holders or persons entitled to, or with whom it may be desirable to make, a settlement;
- (e) the granting of licenses to prepare or collect, or the farming of the right of preparing or collecting, rubber, lac, and other forest produce upon land over which no person has the rights of a proprietor, land-holder, or settlement-holder;
- (f) the granting of licenses, or the farming of the right, to work mines, stones, and lime quarries, salt-wells and oil-wells, to fish in fisheries proclaimed under section 16, and to carry on gold-washing operations,
- (g) the payments in consideration of which, and the conditions on which, such licences or farms may be granted; and
- (h) generally to carry out the provisions of this Regulation.

156. Penalty for breach of rules.—The Chief Commissioner may, in making any rule under this Regulation, attach to the breach of it, in addition to any other consequence which would ensue from such breach, a penalty which may extend to two hundred rupees, or, when such breach is a continuing breach, to fifty rupees for each day during which such breach continues.

157. Making and publication of rules.—(1) The Chief Commissioner shall, before making any rules under this Regulation, publish in such manner as may, in their opinion, be sufficient for giving information to persons interested, a draft of the proposed rules, with a notice specifying a date at or after which the draft will be taken into consideration; and shall, before making the rules, receive and consider any objection or any suggestion which may be made by any person with respect to the draft before the date so specified.

(2) If, on such consideration of the draft, any modification is made, the Chief Commissioner shall determine whether it is necessary to republish the draft under this section.

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(4) All rules made by the Chief Commissioner under this Regulation shall be published in the official *Gazette*, and shall thereupon have the force of law.

158. Consolidation and republication of rules.—(1) The Chief Commissioner shall at least once in every three years cause all rules in force under this Regulation to be arranged in some convenient order according to this subject-matter and consolidated, and, where necessary, shall *
* * * amend the rules so arranged and consolidated.

(2) The rules so arranged, consolidated, and amended, shall be published in the official *Gazette* and upon such publication all previous rules under this Regulation shall cease to be in force.

159. Powers exercisable from time to time.—All powers conferred by this Regulation may be exercised from time to time as occasion requires.

CHAPTER X—PROTECTION OF BACKWARD CLASSES

160. Protection of certain classes.—(1) Notwithstanding anything hereinbefore contained, the Chief Commissioner may adopt such measures as it deems fit for the protection of those classes who on account of their primitive condition and lack of education or material advantages are incapable of looking after their welfare in so far as such welfare depends upon their having sufficient land for their maintenance.

(2) The Chief Commissioner may, by notification in the official *Gazette*, specify the classes of people whom it considers entitled to protection by such measures as aforesaid.

161. Constitution of compact areas.—The protective measures may include the constitution of compact areas, in regions predominantly peopled by the classes of people notified under the provisions of sub-section (2) of section 160, into belts or blocks. The boundaries of the areas so constituted shall as far as possible coincide with mauza boundaries or be otherwise easily distinguishable.

162. Extension of Chapter X to such areas.—(1) The Chief Commissioner may, by notification in the official *Gazette*, direct that the provisions of this Chapter shall apply to the areas, or any of the areas, constituted into belts or blocks

under the provisions of section 161. On such application, the disposal of land by lease for ordinary cultivation, the nature and extent of rights conveyed by annual or periodic leases, the termination or forfeiture of such rights, the ejection of persons in occupation who have no valid right in the land, the management or letting out in farm of land in certain circumstances by the Deputy Commissioner, and other allied or connected matters shall, so far as possible, be governed by the provisions of this Chapter and the rules made thereunder. Where this is not possible, the Deputy Commissioner shall be guided by the spirit of the provisions of the foregoing Chapters of the Regulation and the rules made thereunder.

(2) The Chief Commissioner may, in like manner, direct that the provisions of this Chapter shall cease to apply to any area, or areas, or portions of any area or areas, to which they have been applied under the provisions of sub-section (1).

(3) The application of the provisions of this Chapter to any area as aforesaid will not affect—

- (a) land settled for special cultivation or purposes ancillary to special cultivation (including grants made for tea cultivation),
- (b) lakheraj, nistkheraj or special estates settled with non-cultivators for their maintenance, which land and estates and the rights and interests therein shall continue to be governed by the provisions of the foregoing Chapters of the Regulation and the rules made thereunder.

163. Disposal of land for purposes of cultivation.—(1) The disposal of land, in areas to which the provisions of this Chapter apply, for the purpose of ordinary cultivation or purposes ancillary thereto, shall be in accordance with such policy and procedure as may be adopted and directed by the Chief Commissioner.

(2) In adopting and directing such policy or procedure the Chief Commissioner shall take into consideration—

- (a) the *bona fide* needs of those who are permanently residing in the area on the date of the notification under sub-section (1) of section 162,
- (b) the *bona fide* needs of those who are temporarily residing in the area but who are settlement holders of land within the area, on the aforesaid date, and who are likely to undertake to become permanently resident therein within a reasonable time.
- (c) the *bona fide* needs of members of the classes notified under sub-section (2) of section 160, who are living elsewhere in the district, and
- (d) if the extent of cultivable land available for settlement in the belt or block be large enough, the *bona fide* needs of other classes of persons residing in the neighbourhood of the belt or block. Preference shall be given to persons whose religion, mode of life, agricultural customs and habits are the more akin to those of the classes for whose protection the belt or block was constituted.

164. Rights of settlement holders and landholders.—(1) A settlement holder other than a landholder shall have no rights in the land held by him beyond such as are expressed in his settlement lease.

(2) A landholder shall have a right of use and occupancy in the land held by him subject to any restrictions or modifications prescribed in rules made under this Chapter, and to the provisions of section 9.

(3) The rights of a landholder derived from a periodic lease in respect of land to which the provisions of this Chapter have been applied, and issued before the date of the notification under sub-section (1) of section 162 shall, for the period during which the area remains subject to the provisions of the Chapter, be the same as described in sub-section (2).

165. Ejectment and eviction.—(1) In the case of unsettled land, any person who without valid authority has encroached upon or occupied it shall be liable to ejectment forthwith.

(2) In the case of annually settled land, persons other than settlement holders, members of their families and hired servants, if found in occupation thereof, shall be liable to ejectment forthwith. The settlement, with the settlement holder shall, unless terminated earlier for infringement of the conditions of the lease or for any action contrary to or inconsistent with the rights conferred on him by the lease, automatically terminate at the end of the period covered by the lease.

(3) (a) In the case of periodically settled land, persons who have entered into occupation without valid authority from the landholder or whose entry or occupation is or has come about in a manner inconsistent with the provisions of this Chapter shall be liable to eviction.

(b) Such eviction shall be preceded by service of notice requiring the occupants to vacate the land, and to remove all buildings and other constructions erected, and crops raised, within a period not exceeding one month from the date of receipt of the notice.

(c) The Deputy Commissioner may, after the persons concerned have evacuated or been evicted from the land, take the land under his own management, or may let it in farm, for such period as he thinks fit, but shall give the landholder a reasonable opportunity of undertaking in writing that he will do everything in his power to prevent unauthorised occupation by other persons in future, and of agreeing in writing that, on his failure to do so, he will forfeit his rights and status of a landholder in respect of the land. If satisfied with an undertaking and agreement as aforesaid, the Deputy Commissioner shall accept them, and they shall be deemed to govern the landholder's future rights and status in respect of the land, and the land shall then be restored to the landholder. If the landholder subsequently contravenes the undertaking as aforesaid, or any of the provisions of section 9, he shall be liable to forfeiture of his rights and status in respect of the land, which will then be available for settlement afresh, subject to any lawful encumbrances subsisting upon it.

166. Immunity.—No suit shall lie against any public servant for anything done by him in good faith under this Chapter.

167. Ban on jurisdiction.—No Civil Court shall exercise jurisdiction in any of the matters covered by this Chapter.

168. Investment of powers.—The Chief Commissioner may, by notification in the official Gazette, invest any Revenue Officer with the powers of the Deputy Commissioner under all or any of the provisions of this Chapter within such limits, with such restrictions and for such period as may be specified, and may withdraw from any such Officer any of the powers so conferred upon him.

169. Appeals.—(1) An appeal shall lie under this Chapter:—

(a) to the Deputy Commissioner, from any original order passed by any Officer subordinate to him, and

(b) to the Chief Commissioner, from any original order passed by a Deputy Commissioner.

(2) Except in regard to orders relating to periodically settled land, an order passed on appeal under sub-section (1), clause (a) shall be final.

(3) In regard to orders relating to periodically settled land an appeal will lie to the Chief Commissioner from an appellate order of the Deputy Commissioner.

170. Revision.—The Chief Commissioner or the Deputy Commissioner may call for the proceedings held by any Officer subordinate to it or him, and pass such orders thereon as it or he thinks fit.

171. Rules.—The Chief Commissioner may, by notification in the official Gazette, make rules for the purpose of carrying out the provisions of this Chapter.

[No. 43-J.]

A. N. SACHDEV, Under Secy.

MINISTRY OF FINANCE (Department of Revenue and Expenditure)

New Delhi, the 25th February 1952

S.R.O. 444.—In exercise of the powers conferred by the proviso to article 309 read with articles 313 and 372 of the Constitution and paragraph 19 of the Adaptation of Laws Order, 1950, the President hereby directs that the following further amendments shall be made in the Civil Service Regulations and shall be deemed to have been made on and to have effect from the 15th day of August, 1947, namely:—

In the list of services and appointments in article 349-A of the said Regulations, after the entry "The Public Works Department officers of the Indian

Service of Engineers and of the Provincial Engineer Service", the following entry shall be inserted:—

"Military Engineer Service.—All Officers appointed to class I of this Service Director, Engineer Research Station; Chief Architect and Junior Architect."

[No. F. 19(1)-EV/52]

S.R.O. 445.—In exercise of the powers conferred by the proviso to article 309 read with articles 313 and 372 of the Constitution and paragraph 19 of the Adaptation of Laws Order, 1950 the President hereby directs that the following further amendments shall be made in the Superior Civil Services Rules and shall be deemed to have been made on and to have effect from the 15th day of August, 1947, namely:—

In Schedule V to the said Rules, to the entries under the heading "Central Services", the following entry shall be added, namely:—

"Military Engineer Service—

All officers appointed to posts in the Senior scale of Class I of this Service and above.

Director, Engineer Research Station.

Chief Architect and Junior Architect."

[No. F. 19(1)-EV/52]

S.R.O. 446.—In exercise of the powers conferred by the proviso to article 309 read with articles 313 and 372 of the Constitution and paragraph 19 of the Adaptation of Laws Order, 1950, the President hereby directs that the following further amendments shall be made to the Civil Service Regulations, namely:—

In the "Schedule of Appointments Carrying Additional Pensions" below Article 475-A of the said Regulations—

(a) under the heading "A-Upper Grade" for the entries—

"Commissioner of Income-tax, Bengal. Commissioner of Income-tax, Bombay, Sind, British Baluchistan and Ajmer-Merwara (formerly designated as Commissioner of Income-tax, Bombay). Other Commissioners of Income-tax"

the following entry shall be substituted, namely:—

"Commissioners of Income-tax, Grade I";

(b) under the heading "B-Lower Grade" for the entry "Assistant Commissioners of Income-tax, Calcutta and Bombay, on pay of which the minimum is not less than Rs. 1,500 a month".

the following entry shall be substituted, namely:—

"Commissioners of Income-tax, Grade II".

These amendments shall be deemed to have had effect as from the 1st May, 1946.

[No. F. 1(1)-EV/52]

New Delhi, the 29th February 1952

S.R.O. 447.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby directs that the following further amendment shall be made in the Civil Pensions (Commutation) Rules, namely:—

In the Appendix to the said Rules, under the heading "Miscellaneous Posts (Central)" the following entry shall be added at the end, namely:—

"Under Secretaries to the Government of India."

[No. F. 2(15)-EV/51]

V. S. KRISHNASWAMI, Dy. Secy.

New Delhi, the 8th March 1952

S.R.O. 448.—In exercise of the powers conferred by the proviso to article 309 and by clause (5) of article 148 of the Constitution, the President hereby directs

that the following further amendments shall be made in the Fundamental Rules, namely:—

For rule 54 of the said Rules, the following shall be substituted namely:—

“54. (1) When a Government servant who has been dismissed, removed, or suspended is reinstated, the authority competent to order the reinstatement shall consider and make a specific order—

a) regarding the pay and allowances to be paid to the Government servant for the period of his absence from duty; and

(b) whether or not the said period shall be treated as a period on duty.

(2) Where such competent authority holds that the Government servant has been fully exonerated or, in the case of suspension, that it was wholly unjustified, the Government servant shall be given the full pay to which he would have been entitled had he not been dismissed, removed or suspended, as the case may be, together with any allowances of which he was in receipt prior to his dismissal, removal or suspension.

(3) In other cases, the Government servant shall be given such proportion of such pay and allowances as such competent authority may prescribe.

Provided that the payment of allowances under clause (2) or clause (3) shall be subject to all other conditions under which such allowances are admissible.

(4) In a case falling under clause (2) the period of absence from duty shall be treated as a period spent on duty for all purposes.

(5) In a case falling under clause (3) the period of absence from duty shall not be treated as a period spent on duty, unless such competent authority specifically directs that it shall be so treated for any specified purpose.

[No. 19(6)-EIV/52.]

H. F. B. PAIS, Dy Secy.

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 5th March 1952

S.R.O. 449.—The following General Order issued by the Iron and Steel Controller under the proviso to sub-clause (1) of Clause 3 of the Iron and Steel (Control of Production and Distribution) Order, 1941, is hereby published for general information :—

“In exercise of the powers conferred on me under the proviso to sub-clause (1) of Clause 3 of the Iron and Steel (Control of Production and Distribution) Order, 1941, I hereby direct that the provisions of that Order shall not apply to the categories of steel, specified in the First Schedule annexed hereto, manufactured by the Un-Registered Producers (Re-rollers), specified in the Second Schedule annexed hereto, out of the scrap obtained by them from uncontrolled sources and/or imports under a licence issued by a competent authority.

THE FIRST SCHEDULE

Categories of fabricated Steel

- | | |
|------------------------|------------------------------|
| 1. Roofing Bars. | 10. Heavy Weight Cart Tyres. |
| 2. Lintel Bars. | 11. Light Weight Cart Tyres. |
| 3. Tie Rods. | 12. Hold Fast. |
| 4. Fencing Bars. | 13. Cart Axles. |
| 5. Tyre Rims. | 14. J. Bolts. |
| 6. Cart Hoops Punched. | 15. Harrow Blades. |
| 7. Tonga Channels. | 16. Motor Springs. |
| 8. Cart Tyres Flat. | 17. Plough Shares. |
| 9. Wheel Tyres. | 18. Crow Bars. |

THE SECOND SCHEDULE

Un-Registered Producers (Re-rollers)

State	Names of Unregistered Producers (Re-rollers)	Address
A. West Bengal	<ol style="list-style-type: none"> 1. R. Tarruck & Co. 2. Agarwal Hardware Works, Ltd. 3. Rama Rolling Mills, Ltd. 4. Sree Durga Rolling Mills 5. Shree Hanuman Steel Rolling Mills Co. Ltd. 6. Shree Bajrang Electric Steel Co. Ltd. 7. United Rolling Mills, Ltd. 8. Steel Equipment and Construction Ltd. 9. Bengal Rolling Mills, Ltd. 10. Chaliha Rolling Mills 11. Swadeshi Industries, Ltd. 12. The Orient Iron & Steel Co., Ltd. 13. Shree Laxmi Iron & Steel Works, Ltd. 14. The Calcutta Iron Steel and Non-Ferrous Metal Works. 15. Bubna Engineering Co. 16. Lillooah Steel & Wire Co., Ltd. 17. British India Rolling Mills 	<ol style="list-style-type: none"> 8, Station Road, Howrah. 51, Stark Road, Lillooah, Howrah. 156, Manicktola Main Road, Calcutta. 197/1, G. T. Road (North), Ghusuri, Howrah. 62/D/2, Old Ghusuri Road, Howrah. 1, Kali Mazumdar Road, P. O. Ghusuri, Howrah. 171, Girish Ghosh Road, Belur, Howrah. 22, G. T. Road (North), Lillooah (Howrah). 5, Duffer Street, Lillooah, Howrah. 13, Chanditola Lane (Russa), Tollygunge, Calcutta-33. Panihati (24 Parganas). 3, Height Road, Lillooah, Howrah. 12/13, Chakpara Road, Lillooah, Howrah. P 88/4, Incinerator Road, Majerhat, Alipore, Calcutta. 188, Manicktolla Main Road, Calcutta. 16, Belur Road, Lillooah, Howrah. 23, Canal West Road, Calcutta-4.
B. Madhya Bharat	<ol style="list-style-type: none"> 1. The Central India Iron and Steel Co. 2. The Bhandari Iron and Steel Co. 3. Digvijaya Industries 4. Gwalior Metal Industries 5. Indore Steel & Iron Mills 	<ol style="list-style-type: none"> 10, Silnath Camp, Indore. 7/8, Silnath Camp, Indore. Bangrod (MB), Dt. Ratlam, B., B. & C. I. Railway. Ganesh Colony, Gwalior (MB). Power House Area, Indore.
C. Rajasthan	<ol style="list-style-type: none"> 1. Jaipur Metal Industries, Ltd. 	<ol style="list-style-type: none"> Near Rly. Station, Jaipur, B., B. & C. I. Rly.
D. Madras	<ol style="list-style-type: none"> 1. Masseys 	<ol style="list-style-type: none"> Royapuram, Madras
E. Orissa	<ol style="list-style-type: none"> 1. The National Textiles and Rolling Mills, Ltd. 	<ol style="list-style-type: none"> Nayabazar, Cuttack-4.
F. Uttar Pradesh	<ol style="list-style-type: none"> 1. The Radhey Lal Steel Rolling Mills. 2. The Singh Plate Mills, Ltd. 3. The Benares Steel Rolling Co. 4. Kashi Iron Foundry 5. The U. P. Rolling Mills Co. Ltd. 	<ol style="list-style-type: none"> Near Juhi Station, Kanpur. Kanpur. Ghowkaghat, Banaras Cantt. Near Goods Shed, Banaras Cantt. Coopergunge, Kanpur.

State	Names of Unregistered Producers (Re-Rollers)	Address
F. Uttar Pradesh— <i>contd.</i>	6. The Indian Rolling Mills Co.	79, Fazalganj (Factory Area) Kanpur.
	7. The Jain Steel Rolling Mills.	105/861, Deputy-Ka-Parao, Kanpur.
	8. Sree Mahabir Rolling Mills	Factory Area, Fazalganj, Kanpur.
	9. Bindeshwari Prasad Banwarilal Rolling Mills.	Juhi, Kanpur.
	10. Shri Lakshman Rolling Mills.	359, Harrisgunj, Kanpur.
	11. Jagdish Rolling Works	Mohammedganj, Opp. Water-Works, P. O. Nawabganj, Kanpur.
	12. Cawnpore Plate Mill, Ltd.	Harrisgunj, Kanpur.
	13. The Agarwal Iron Works	Pt. Motilal Nehru Road, Near Belanganj, Goods Depot, Agra.
	14. Shri Ram Rolling Mills	Aishbagh, Lucknow.
	15. The Jhansi Iron & Steel Rolling Mills.	Civil Lines, Gwalior Road, Jhansi.
	16. Kesav Rolling Mills	Nanpara. Dt. Bahraich.
	17. Kisaan Engineering Works, Ltd.	Rly. Stn. Dankaur, E. I. R.
	18. Modern Industries	Shahabad, Ghaziabad, Dist. Meerut.
G. Delhi.	1. The Delhi Steel Rolling Mills	Delhi-Shahdara.
	2. The Mahabir Steel Rolling Mills.	G. T. Road, Delhi-Shahdara.
	3. Rathni Steel Rolling Mills	Loni Road, Delhi-Shahdara.
	4. Seth Munna Lal Steel Rolling Mills.	Loni Road, Delhi-Shahdara.
	5. Sudarshan Steel Rolling Mills	G. T. Road, Delhi-Shahdara.
	6. Shell Steel Rolling Works	Shehzada Garden, near Sarai Rohilla Rly. Station, Delhi.
H. Punjab (I)	1. The Sirdar Iron & Steel Mills	Chhehartar, E. P. Rly.
	2. Aggarwal Steel Rolling Mills	Chhehartar, E. P. Rly.
	3. Des Raj Chiranji Lal Iron Rolling Mills.	Samrala Road, Khanna, Dt. Ludhiana.
	4. Amin Chand Bhola Nath	Tanda Road, Jullundur City.
	5. Aeron Steel Rolling Mills	Tanda Road, Jullundur City.
	6. Ludhiana Steel Rolling Mills	Millergunj, Ludhiana.
	7. Ganga Steel Rolling Mills	Millergunj, Ludhiana.
	8. Sulekh Ram and Sons	Near A. S. High School, G. T. Road, Khanna, Dist. Ludhiana.
	9. Shiv Chand Aggarwal	Tanda Road, Jullundur City.
	10. Sri Gurunank Steel Rolling Mills.	Ladowall Road, Jullundur City.
	11. Mukanda Mal Ramditta Mal Steel Rolling Mills.	Industrial Area E-1, Jamuna Nagar, Jagadhri Rly. Station (E. P. Rly.)
	12. Steel Rolling Mills of Bengal Ltd.	Kaithal, E. P. Rly.
	13. G. D. Steel Rolling Mills	Batala.
I. Bombay	1. The National Steel Works, Ltd.	Parcel Tank Road, Ambawadi, Bombay-12.
	2. K. T. Rolling Mills, Ltd.	Ambernath, (Bombay).
	3. Basant Steel Rolling Mills, Prop. Ishardas Ramchand	Bombay-Agra Road, Bhandup, (Bombay).
	4. The Punjab Steel Rolling Mills.	P. O. Chemical Industries, Old Station, Baroda.

State	Names of Unregistered Producers (Re-Rollers)	Address
I. Bombay— <i>contd.</i>	5. B.R. Herman & Mohatta Ltd.	People's Building, Sir Pheroze-shah Mehta Road, Fort, Bombay.
	6. Sewree Iron & Steel Co.	Sewree Cross Road, Plot No. 6, Sewree, Bombay-15.
	7. National Industrial Corporation.	Luxmi Bldg., Ground Floor, Sir Pheroze-shah Mehta Road, Fort, Bombay.
J. PEPSU	1. The Panesar Iron & Steel Rolling Mills.	Gobindgarh.
	2. Handa Steel Re-Rolling & General Mills Co.	G. T. Road, Phagwara.
	3. The Iron Factory	Gobindgarh.
	4. Sawan Mal Shibu Mal Steel Re-Rolling Mills.	Sangrur Road, Dhuri.
	5. Gopal Iron & Steel Works	Amloh Road, Gobindgarh.
	6. The Jain Steel Rolling Mills	Opp. Rly. Station, Malerkotla, E. P. Rly.
	7. The Mehta Brothers Steel Rolling Mills.	Sirhind, E. P. Rly.
	8. Chiranji Lal Steel Rolling Mills.	Factory Area, Patiala.
	9. National Steel & Rolling Mills.	Gobindgarh.
	10. Pritam Singh Hunjan & Bros., Iron & Steel Rolling Mills & Oil Mills.	Sunam, Dist. Sangrur.
	11. Goel Steel Rolling Mills	Jaitu, E. P. Rly.
	12. Milkhi Ram Har Gopal Dass Steel Rolling Mills.	Jaitu, E. P. Rly.
	13. Laxmi Steel Rolling Mills	Jaitu, E. P. Rly.
	14. Jagatjit Distilling & Allied Industries Ltd.	P. O. Jagatjit Nagar, Dist Kapurthala.
	15. National Engineering Co. Ltd.	Industrial Area, Kapurthala.
	16. Shree Maharaja Steel Mills, Ltd.	Kapurthala.
	17. Jagatjit Industrial Corporation.	Opp. Railway Station, Kapurthala.
	18. The Malli Steel Rolling Mills	G. T. Road, Phagwara.
	19. Jora Mal & Sons, Iron & Steel Re-Rolling Mills.	Phagwara.
	20. The Modi Oil & General Mills.	Gobindgarh.
	21. Gurumanak Steel Rolling Mills.	Gobindgarh.
	22. Sulekh Ram Banarasi Das Steel Rolling Mills.	Mandi Gobindgarh.
	23. Naraukari Iron Rolling Mills	Mandi Gobindgarh.
	24. Devgan Iron Rolling Mills	Mandi Gobindgarh.
	25. The Punjab Steel Rolling Mills, Ltd.	Nabha Road, Gobindgarh
	26. Balu Ram Harnam Das Steel Rolling Mills.	Gobindgarh.
	27. The Gopal Mills	Mandi Gobindgarh.
	28. Saraswati Steel Rolling Mills.	Rly. Road, Gobindgarh.
	29. Rama Steel Rolling Mills	Mandi Gobindgarh.
	30. Hira Singh Hazura Singh Rolling Mills.	Mandi Gobindgarh.
	31. Khalsa Iron & Steel Re-Rolling Mills.	Mandi Gobindgarh.
	32. Sant Ram Ramji Dass Iron and Steel Rolling Mills.	Mandi Gobindgarh.
	33. Vishiv Karma Iron Rolling Mills.	Mandi Gobindgarh.

State	Names of Unregistered Producers (Re-rollers)	Address
J. PEPSU— <i>contd.</i>	34. Ch. Dewan Chand Dhanpatrai Bhatia.	G. T. Road, Gobindgarh.
	35. Ram Tirath Iron & Steel Re-Rolling Mills.	Mandi Gobindgarh.
	36. Gangram Assaram Iron & Steel Rolling Mills.	Gobindgarh.
	37. Mangat Industries . . .	Doraha.
	38. Jindal Steel Works . . .	Opp. Railway Station, Malerkotla.
	39. B. S. & Brothers Steel Rolling Mills.	Ahmodgarh.
	40. Ajit Steel Rolling Mills . .	Rampura Phul (Pepsu).
K. Saurashtra.	41. The Barnala Steel Re-Rolling Mills.	Barnala.
	1. Saurashtra Industries . . .	Bunder Road, Bhavnagar.
	2. Sarma Metal Rolling Mills .	Bhavnagar.
	3. The Bharat Iron & Steel Industries.	Near Nagar Gymkhana Ruvapari Road, Bhavnagar.

M. K. POWVALA,
Iron and Steel Controller."

[No. SC(A)-4(66).]

N. R. REDDY, Under Secy.

ORDER

New Delhi, the 7th March 1952

S.R.O. 450.—In exercise of the powers conferred by section 4 of the Supply and Prices of Goods Act, 1950 (LXX of 1950), and in partial modification of the notification of the Government of India in the late Ministry of Industry and Supply No. S.R.O. 503, dated the 2nd September 1950, in so far as it relates to the fixation of maximum prices of soda ash imported from the United States of America, the Central Government hereby fixes the following Schedule of maximum prices for 87 tons of soda ash imported per s.s. 'FLYING FOAM' during January 1952 by the Indian Commercial Company Ltd., 45/47 Apollo Street, Fort, Bombay.

SCHEDULE

Variety of Soda ash	Maximum price that may be charged by the importer	Maximum price that may be charged by a distributor	Maximum price that may be charged by a wholesale dealer	Maximum price that may be charged by a retail dealer
Soda Ash (Light).	Rs. a. p. 24 8 6 per cwt. Ex-godown/ F.O.R., Bombay.	The price specified in Column 2 <i>plus</i> (a) actual railway freight by goods train or actual transport charges by sea from Bombay to the place of destination, and (b) handling charges not exceeding annas eight per cwt.	The price specified in Column 3 <i>plus</i> a margin not exceeding annas eight per cwt.	The price specified in Column 4 <i>plus</i> a margin not exceeding Rs. 1-12-0 per cwt.

NOTE.—These prices are exclusive of local taxes, such as Sales Tax, Octroi etc., which may be charged extra.

[No. PC-7(16)/51]

New Delhi, the 10th March 1952

S.R.O. 451.—*Corrigendum.*—In the notification of the Government of India in the Ministry of Commerce and Industry, No. S.R.O. 188, dated the 28th January, 1952, published at page 165 of the *Gazette of India*, Part II, Section 3, dated the 2nd February 1952, for the date '17th November, 1950' read '27th November, 1950'.

[No. 15(5)-PC/50.]

P. S. SUNDARAM, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

New Delhi, the 4th March 1952

S.R.O. 452.—In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government is pleased to rescind the notification of the Government of India, in the late Ministry of Agriculture No. S.R.O. 739, dated the 7th October 1950.

[No. SV-101(8)/51-52.]

New Delhi, the 15th March 1952

S.R.O. 453.—In exercise of the powers conferred by clause 2(a) of Vegetable Oil Products Control Order, 1947 as subsequently amended *vide* Ministry of Agriculture Notification No. 2-VP(2)/48, dated the 9th October, 1948, the Vegetable Oil Products Controller for India is hereby pleased to confer upon the Civil Supplies Sub-Inspectors, in respect of their respective jurisdiction in the Punjab State, the powers of the Controller under clause 8-A of the said order.

[No. 2-VP(2)/52.]

S.R.O. 454.—In exercise of the powers conferred by clause 2(a) of Vegetable Oil Products Control Order, 1947, as subsequently amended *vide* Ministry of Agriculture Notification No. 2-VP(2)/48, dated the 9th October, 1948, the Vegetable Oil Products Controller for India is hereby pleased to confer upon the officers specified in Col. 2 of the Schedule hereto annexed in respect of their respective jurisdiction in the State mentioned in Col. 1, the powers of the Controller under clause 8-A of the said order.

THE SCHEDULE

State (1)	Designation of authority (2)
Bombay (except Baroda District)	<ol style="list-style-type: none"> 1. District Supply Officers. 2. District Distribution Superintendents. 3. City Rationing Officer. 4. Revenue Officers not below the rank of a mohalkari.

[No. 2-VP(2)/52.]

P. A. GOPALAKRISHNAN,
Vegetable Oil Product Controller for India.
and Joint Secy.

New Delhi, the 7th March 1952

S.R.O. 455.—In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), the Central Government

hereby directs that the following further amendment shall be made in the Food-grains Import Control Order, 1949, issued by the Government of Mysore, in their Notification No. S. D. 817-C. 193-48-2, dated 1st-2nd August, 1949, namely:

In the Schedule appended to the said Order, entries 6, 7, 10, 12, 13 and 14 shall be omitted.

[No. CG-603(3)XVII.]

P. G. ZACHARIAH, Dy. Secy.

MINISTRY OF HEALTH

New Delhi, the 4th March 1952

S.R.O. 456.—In pursuance of Sub-section (4) of section 6 of the Dentists Act, 1948 (XVI of 1948), the Government of Assam have nominated Lt.-Col. A. N. Chopra, Inspector General of Civil Hospitals, Assam, to be a member of the Dental Council of India with effect from the 17th December, 1951, in the casual vacancy caused by the removal of the member nominated by that Government under clause (e) of section 3 of the said Act read with the proviso to that section.

[No. F. 6-5/50-M.I.]

New Delhi, the 7th March 1952

S.R.O. 457.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 3 of the Indian Medical Council Act, 1933 (XXVII of 1933), the Central Government is pleased to nominate Dr. V. R. Khanolkar, M.D., M.R.C.S. (Eng.), L.R.C.P. (London), Director, Tata Institute of Cancer Research, Tata Memorial Hospital, Parel, Bombay, to be a member of the Medical Council of India with effect from the 7th March, 1952, *vice* Dr. S. R. Moolgavkar, deceased.

[No. F.5-6/52-M.I.]

S. DEVANATH, Under Secy.

MINISTRY OF REHABILITATION

New Delhi, the 10th March 1952

S.R.O. 458.—In exercise of the powers conferred by section 4 of the Evacuee Interest (Separation) Act, 1951 (LXIV of 1951), the Central Government hereby directs that the following further amendments shall be made in the Notification of the Government of India in the Ministry of Rehabilitation No. S.R.O. 357, dated the 22nd February 1952, namely:—

“In the said Notification, for the entry ‘Shri V. N. Bhatia, Subordinate Judge, Ajmer,’ the entry ‘Shri C. Jacob, Senior Sub-Judge, Ajmer,’ shall be substituted.”

[No. 82(14)/51-Prop.]

MANMOHAN KISHAN, Asstt. Secy.

MINISTRY OF TRANSPORT

PORTS

New Delhi, the 6th March 1952

S.R.O. 459.—In pursuance of sub-section (1) of section 6 of the Calcutta Port Act, 1890 (Bengal Act No. III of 1890) and in supersession of the Ministry of Transport notification No. 19-P(136)/48-III, dated the 12th March 1949, it is hereby notified that each of the bodies representing commercial interests specified in

column 2 of the table below shall elect the number of Commissioners for the Port of Calcutta specified against it in column 3 thereof.—

TABLE

Serial Number (1)	Name of body (2)	Number of Commissioners (3)
1.	Bengal Chamber of Commerce, Calcutta.	2
2.	Bengal National Chamber of Commerce, Calcutta.	4
3.	Indian Chamber of Commerce, Calcutta.	4
4.	Indian National Steamship Owners' Association, Calcutta.	4

[No. 9-PI(1)/52.]

S. N. CHIB, Dy. Secy.

MINISTRY OF RAILWAYS (Railway Board)

New Delhi, the 8th March 1952

S.R.O. 460.—In exercise of the powers conferred by Rule I of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908) read with section 141 of the said Code, the Central Government hereby authorises the General Manager and the Deputy General Manager of the Central Railway to sign and verify plaints, written statements, petitions, applications including applications for executions and any other pleadings or proceedings in any suit or other proceedings by or against the Central Government in respect of the said Railway Administration.

[No. E51LL2/14/3/I.]

S.R.O. 461.—In exercise of the powers conferred by Rule I of Order XXVII of the first Schedule to the Code of Civil Procedure 1908 (Act V of 1908) read with section 141 of the said Code, the Central Government hereby authorises the General Manager and the Deputy General Manager of the Western Railway to sign and verify plaints, written statements, petitions, applications including applications for executions and any other pleadings or proceedings in any suit or other proceedings by or against the Central Government in respect of the said Railway Administration.

[No. E51LL2/14/3/II.]

S.R.O. 462.—In exercise of the powers conferred by Rule I of Order XXVII of the first Schedule to the Code of Civil Procedure 1908 (Act V of 1908), the Central Government hereby rescinds the following notifications namely:—

1. Notification No. E38LL23 dated the 25th August 1938 relating to the signing and verification of plaints and written statements against the Great Indian Peninsula Railway.
2. Notification No. E41LL25-1 dated the 1st January 1942, relating to the signing and verification of plaints and written statements against the B.B. & C.I. Railway.

[No. E51LL2/14/3/III.]

S.R.O. 463.—The Central Government hereby notifies for general information that the undermentioned Notifications of the Government of India in the late Railway Department (Railway Board) are cancelled:—

- (1) Notification No. E38LL23 dated the 8th September, 1938 relating to the affairs of G.I.P. Railway.
- (2) Notification No. E41LL25-II dated the 1st January 1942 relating to the affairs of B.B. & C.I. Railway.

[No. E51LL2/14/3/IV.]

S.R.O. 464.—In exercise of the powers, conferred by Rule I of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908 (Act V of 1908) read with Section 141 of the said Code the Central Government hereby directs that the following amendments shall be made in the notification of the Government of India in the Ministry of Railways (Railway Board) No. ES50LL2 dated the 18th July 1950, namely:—

“In the said notification the entries relating to the Nizam State Railway, Saurashtra Railway, Jaipur State Railway, Dholpur State Railway, Rajasthan Railway, Scindia State Railway and Cutch State Railway shall be omitted.”

[No. E51LL2/14/3/V.]

P. N. SAXENA,

Director, Establishment, Railway Board.

MINISTRY OF WORKS, PRODUCTION & SUPPLY

New Delhi, the 7th March 1952

S.R.O. 465—In exercise of the powers conferred by sub-section (1) of section 26 of the Petroleum Act, 1934 (XXX of 1934), the Central Government hereby directs that the following further amendment shall be made in the Schedule annexed to the notification of the Government of India in the late Department of Industries and Labour No. M.826(3), dated the 22nd March, 1937, namely:—

In the said Schedule—

1. For the entry in the second column, against item 1, the following entry shall be substituted namely:—

“All the territories to which the Act extends”.

2. for the entry in the first column against item 4, the following entry shall be substituted, namely:—

“The Commissioner of Police and all Police Officers of rank not below that of Sub-Inspector”.

[No. M-108(1)/52.]

B. B. PAYMASTER, Dy. Secy.

MINISTRY OF LABOUR

New Delhi, the 5th March 1952

S.R.O. 466.—In pursuance of the powers conferred by section 73-B of the Employees' State Insurance Act, 1948 (XXXIV of 1948), the Central Government hereby specifies that the following authorities, shall decide any question or dispute arising in respect of the employer's special contribution payable or recoverable under chapter V. A of the said Act, within their respective jurisdictions:—

Name of State	Authority empowered to hear disputes under chapter V-A of the Employees' State Insurance Act, 1948	Jurisdiction
<i>Part A</i>		
Bihar	The Chairman, Bihar Industrial Tribunal.	State of Bihar.
Bombay	1. The Commissioner for Workmen's Compensation, Bombay 2. The Judge, Labour Court, Ahmedabad. 3. The Judge, Labour Court, Jalgaon.	Greater Bombay. Ahmedabad Taluka of the Ahmedabad District. Jalgaon Taluka of the East Khandesh District.

Name of State	Authority empowered to hear disputes under Chapter V, A. of the Employees' State Insurance Act, 1948	Jurisdiction
	<p>4. The Judges of the Courts of Small Causes at Poona and Baroda.</p> <p>5. All Civil Judges (Junior Division) and where there are no Civil Judges (Junior Division), Civil Judges (Senior Division) in the state of Bombay except the Civil Judges (Senior Division) and Civil Judges (Junior Division) exercising jurisdiction within the following areas :—</p> <p>(i) Ahmedabad Taluka of the Ahmedabad District,</p> <p>(ii) Jalgaon Taluka of the East Khandesh District, and</p> <p>(iii) the areas falling within the jurisdictions of the Judges of the Courts of Small Causes at Poona and Baroda.</p>	<p>The areas within the limits of their respective jurisdictions.</p> <p>The areas within the limits of their respective jurisdictions.</p>
Madras	<p>1. The Commissioner for Workmen's Compensation, Madras.</p> <p>2. The Additional Commissioner for Workmen's Compensation, Madras. (Assistant Commissioner of Labour).</p> <p>3. The Additional Commissioner for Workmen's Compensation, Madras. (Additional Assistant Commissioner of Labour.)</p>	<p>Madras City.</p> <p>Districts of North Arcot, South Arcot, Chingleput, Coimbatore, South Kanara, Malabar, Mathurai, Nilgiris, Ramana-thapuram, Salem, Tanjore, Tiruchirappalli and Tirunelveli.</p> <p>Districts of Anantpur, Bellary, Chittoor, Cuddapah, Guntur, East and West Godavari, Krishna, Kurnool, Nellore, Visakhapatnam and Srikakulam.</p>
Uttar Pradesh	<p>1. Regional Conciliation Officers, Allahabad.</p> <p>2. Regional Conciliation Officer, Gorakhpur.</p> <p>3. Regional Conciliation Officer, Lucknow.</p> <p>4. Regional Conciliation Officer, Agra.</p>	<p>Allahabad Region consisting of the districts of Allahabad, Banda, Banaras, Mirzapur, Partapgarh, Sultanpur, Jaunpur (excluding Sugar Factory), Ghazipur, Ballia and Fatehpur.</p> <p>Gorakhpur Region consisting of the districts of Bahraich, Gonda, Azamgarh, Basti, Gorakhpur and Deoria.</p> <p>Lucknow region consisting of the districts of Lucknow, Sitapur, Kheri, Hardoi, Unnao, Rae Bareilly, Bara Banki, Faizabad and Sugar Factory at Shahganj in Jaunpur district.</p> <p>Agra Region consisting of the districts of Agra, Aligarh, Etah (excluding Neoli Sugar Factory in Etah District), Etawah, Mainpuri, Jhansi proper and Mathura.</p>

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State	Authority empowered to hear disputes under chapter V.A. of the Employees' State Insurance Act, 1948	Jurisdiction
	5. Regional Conciliation Officer, Bareilly.	Bareilly Region consisting of the districts of Bareilly, Shah-jahanpur, Naini Tal, Garhwal, Rampur, Moradabad, Budaun, Pilibhit (Neeli Sugar Factory in Etah district), Bijnor, Almora and Tehri-Garhwal.
	6. Regional Conciliation Officer, Meerut.	Meerut Region consisting of the districts of Dehra Dun, Saharanpur, Muzaffarnagar, Meerut and Bulandshahr.
West Bengal	The Judges of Industrial Tribunal.	
<i>Part B</i>		
Mysore	3 Industrial Tribunals in Mysore.	
Rajasthan	The Judge, Industrial Tribunal, Rajasthan.	
Travancore Cochin	The Chairman, Industrial Tribunals at (1) Trivandrum, (2) Alleppey and (3) Ernakulam.	
<i>Part C</i>		
Coorg	1. Munsiff—Magistrate, Mercara 2. Munsiff—Magistrate, Virajpet.	In their respective jurisdictions.
Bhopal	1. District Magistrate, Sehore 2. District Magistrate, Raisen. 3. Additional District Magistrate, Bhopal City.	In their respective jurisdictions.
Vindhya Pradesh	All Deputy Commissioners in Vindhya Pradesh.	In their respective jurisdictions.

[No. SS.122(25).]

K. N. NAMBIAR, Under Secy.

New Delhi, the 5th March 1952

S.R.O. 467.—In exercise of the powers conferred by section 24, read with sub-section (1) of section 15 of the Payment of Wages Act, 1936 (IV of 1936), and in supersession of the notifications of the Government of India in the Ministry of Labour No. S.R.O. 1732, dated the 2nd November, 1951, No. S.R.O. 1909, dated the 21st November, 1951, No. S.R.O. 62, dated the 5th January, 1952 and No. S.R.O. 95, dated the 9th January, 1952, the Central Government hereby appoints the officer or officers appointed from time to time by the Governments of Mysore, Saurashtra, Patiala and East Punjab States Union and Rajasthan under sub-section (1) of section 15 of the said Act, as the authority or authorities to hear and decide, within any area in their respective States, all claims arising out of deductions from the wages, or delay in payment of the wages, of persons employed or paid within such area, to be the authority or authorities to hear and decide such claims in respect of persons employed or paid within that area by a railway administration or, either directly or through a sub-contractor, by a person fulfilling a contract with a railway administration.

[No. Fac.61(60).]

S.R.O. 468.—In exercise of the powers conferred by clause (f) of sub-section (1) of section 21 of the Tea Districts Emigrant Labour Act, 1932 (XXII of 1932), the Central Government hereby directs that to each provision of the Rules specified in the Schedule hereto annexed, the following "Explanation" shall be added, namely:—

"Explanation.—If the tea estate is situated in an area where under any law for the time being in force foodgrains are rationed, or the quantity of foodgrains is fixed on a scale of ration for different age groups, the quota of foodgrains allowed to an emigrant labourer or his or her family shall be mentioned under item (i), it being clearly specified therein that such quota is subject to any alteration which may be made from time to time by a competent authority. It should be further mentioned what compensation, if any, in cash will be payable in the event of a reduction in the quota of foodgrains."

Schedule

(1) Rule 19 of the Bengal Tea Districts Emigrant Labour Rules, published with the notification of the Government of Bengal in the Revenue Department, No. 8525-EmI., dated the 22nd July, 1933.

(2) Rule 22 of the Bihar and Orissa Tea Districts Emigrant Labour Rules published with the notification of the Government of Bihar and Orissa in the Revenue Department, No. 241-VII/E-Com-R, dated the 23rd August, 1933.

(3) Rule 2 of the rules under clause (f) of section 21(1) of the United Provinces Tea Districts Emigrant Labour Rules published with the notification of the Government of the United Provinces in the Industries Department, No. 1365/XVIII-7, dated the 24th July, 1933.

(4) Sub-rule (2) of rule 10 of the Tea Districts Emigrant Labour (Central Provinces) Rules published with the notification of the Government of Central Provinces in the Commerce and Industry Department No. 1516 XIII, dated the 2nd August, 1933.

(5) Form V annexed to the Tea Districts Emigrant Labour (Madras) Rules published with the notification of the Government of Madras in the Public Works and Labour Department, No. 317, dated the 18th August, 1933.

[No. PL. 136/EMG(10)]

SADASHIVA PRASAD, Dy. Secy.

New Delhi, the 7th March 1952

S.R.O. 469.—In exercise of the powers conferred by section 38 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby directs that the following further amendments shall be made in the Industrial Disputes (Central) Rules, 1947, the same having been previously published as required by sub-section (1) of the said section, namely:—

Amendments

In the said Rules—

(1) Rule 21A shall be omitted.

(2) For rule 30 the following rule shall be substituted, namely:—

"30. *Form of authority under section 39.*—The authority in favour of a person to represent a workman or an employer in any proceeding under the Act shall be in Form CC."

(3) After rule 51, the following rule shall be inserted, namely:—

"51A. *Complaints regarding change of conditions of service, etc.*—Every complaint under section 33A of the Act shall be presented in triplicate in Form DD and shall be accompanied by as many copies of the complaint as there are opposite parties to the complaint."

(4) For sub-rule (2) of rule 52, the following sub-rule shall be substituted, namely:—

"(2) On receipt of a notice of a strike under sub-rule (1), the employer shall forthwith intimate the fact to the Conciliation Officer having jurisdiction in the matter."

(5) In the Schedule—

(a) after Form C, the following Form shall be inserted, namely:—

Form CC

(See rule 30)

Before (here mention the authority concerned)

Reference No. of
 Workmen
 Versus
 Employer

In the matter of.....

I/We, hereby authorise Shri.....
 to represent me/us in the above matter.

Dated this..... day of 195

Accepted.

(Signature)

(Signature)

Address:

Address:

(b) after Form D, the following Form shall be inserted, namely:—

Form DD

(See rule 51A)

Before the Industrial Tribunal.....
 Complaint under section 33A of the Industrial Disputes Acts, 1947.

A Complainant(s)

Address:—

Versus

B..... Opposite Party(ies)

Address:—

In the matter of Reference No.

The petitioner(s) beg(s) to complain that the Opposite Party(ies) has/have been guilty of a contravention of the provisions of Section 33 of the Industrial Disputes Act, 1947 (XIV of 1947) as shown below:

(here set out in short paragraphs particulars showing the manner in which the alleged contravention has taken place and the grounds on which the order or act of the Management is challenged).

The complainant(s) accordingly pray(s) that the Tribunal may be pleased to decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper.

The number of copies of the complaint and its annexures required by Rule 51A of the Industrial Disputes (Central) Rules, 1947, are submitted herewith.

(Signed)

Dated this day of 195

[No. LR1(194)]

New Delhi, the 8th March 1952

S.R.O. 470.—In exercise of the powers conferred by section 7 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Labour No. S.R.O. 35, dated the 5th January 1952, namely:—

In the said notification after the words "Industrial Tribunal" the words 'to be called the All India Industrial Tribunal (Bank Disputes)' shall be inserted.

[No. IR-100(4)]

New Delhi, the 10th March 1952

S.R.O. 471.—In pursuance of the provisions of sub-clauses (1) and (3) of clause 4 of the Bombay Dock Workers (Regulation of Employment) Scheme, 1951, the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Labour No. S.R.O. 537, dated the 9th April, 1951, constituting the Bombay Dock Labour Board, namely:—

In the said notification—

1. Under the heading "*Representatives of the Central Government*", for item (2), the following item shall be substituted, namely:—

"(2) Shri E. J. Francis, Regional Director of Resettlement and Employment, Bombay".

2. Under heading "*Representatives of the Dock Workers*", for item (3), the following item shall be substituted, namely:—

"(3) Shri P. W. Khandekar".

[No. Fac. 73(23).]

S. NEELAKANTAM, Dy. Secy.

New Delhi, the 8th March 1952

S.R.O. 472.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government is pleased to publish the following award of the Industrial Tribunal, Dhanbad, in respect of the industrial dispute between the Co-operative Assurance Company Limited and its workmen employed at the head office of the Company at Amritsar:—

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD.

REFERENCE No. 14 of 1951.

PRESENT

Shri S. P. Varma, B.A., Barrister-at-Law, Chairman

PARTIES

The Cooperative Assurance Company Limited

Versus

its workmen at the Head Office of the Company at Amritsar.

Appearances

For the employees.—Shri Mohan Lal Aggarwal, President, Co-operative Assurance Co. Ltd. Employees Union.

For the management.—Shri Jagraj, Managing Director of the Company and Shri Bawa Kharag Singh, Secretary of the Company.

AWARD

By a notification No. L.R. 90(90) dated 12th May 1951 the Government of India in the Ministry of Labour has referred the dispute between the Co-operative Assurance Co. Ltd., and its workmen at the Head Office of the company at Amritsar, in the following terms:

"Whereas an industrial dispute has arisen between the Co-operative Assurance Company Limited and its workmen at the Head Office of the Company at Amritsar, in respect so far as the Central Government is aware, of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (c) of Sub-section (1) of Section 10 of the Industrial Disputes Act 1947 (XIV of 1947), the Central Government is pleased to refer the said dispute for adjudication to the Industrial Tribunal at Dhanbad constituted under Section 7 of the said Act.

Schedule

1. Revision of scales of pay and allowances. 2. Bonus. 3. Provident Fund.
4. Holidays & leave rules. 5. Hours of work. 6. Alleged victimisation and discharge of workmen. (specific cases to be cited by the workmen).

N.B.—This list is not intended to be exhaustive."

2. Usual notices were issued to the parties and after the receipt of the statements of claim of the parties the date of hearing was fixed at Amritsar on 11th February 1952. The hearing of the case was taken up on 11th and it continued till 14th February 1952. Shri Mohan Lal Aggarwal and Shri Kanwar Lal Sharma appeared for the workmen and Shri Jagraj and Shri Bawa Kharaz Singh, Managing Director and Secretary respectively appeared for the company. The representatives of the management raised a preliminary objection that Shri Sharma who was appearing along with Shri Aggarwal for the workmen being a legal practitioner could not appear before this Tribunal. Therefore Shri Aggarwal appeared and argued the case. Some witnesses were examined during the hearing of the case and a number of exhibits were taken in. The names of witnesses will be mentioned as and when occasion arises in the later part of this award.

3. The Union has referred to various other items in addition to the items mentioned in the Government notification referred to this Tribunal which would be dealt with as they arise. I need not give a list of those items.

4. *Item No. 1.—Revision of Scales of pay and allowances.*—This item apart from the scales of pay deals with allowances also.

Taking first the revision of scales of pay the case of the Union is to be found in para. 1 of their original statement and at page 16 of their supplementary statement. They point out that there were no regular rates in the company prior to 1st November 1950 and the increments were granted in a haphazard way. They also point out that although grades were fixed on 1st November 1950 and some people were granted increments, there were others who remained as they were. It is not necessary to mention all the individual cases.

The company on the other hand raised the question that the pay should depend upon the qualifications of the individuals. They also point out that on the 1st November 1950 they introduced some grades and they granted increments to a certain number of individuals. Ex. 1-1 is the document to which they refer which is marked Appendix 'A' to this award. Looking at the materials placed before me both in the shape of documents and arguments at the time of hearing it appears to me that there is some ground for the dis-satisfaction of the employees. I think when an employee joins his job he should be in a position to know as to what his prospects are likely to be in that particular job, and if there is nothing directly against him he should not be prevented from reaching the maximum of the grade in which he is appointed. A man may be a good worker still he may not for certain reasons a favourite of those who are superior to him. I see no reason why he should suffer. I think the prayer of the Union that grades should be fixed by this Tribunal is a reasonable one. Looking at the list of workers in the company (Appendix 'A') I think that if grades are introduced in the way mentioned below it ought to satisfy both the employers as well as the employees because they would know where they stand. The grade that I propose is as follows:

Junior Clerks—Rs. 60—5—100—8—140—EB—10—180

Senior Clerks—Rs. 100—8—140—10—180—EB—10—220—10/2—240.

Peons—Rs. 30—1—44—2—50.

NOTE.—The initial pay to be fixed at the stage in the proposed scale next above the pay he is drawing in his present scale and to add one increment in the proposed scales for every 3 completed years of service.

It would be for the employers to adjust the pay of the employees under that. No one should get less than what he is getting now. I may mention in this connection that I had seen the Central Pay Commission Report of the Government of India at page 361. I am not interfering with the scale of the section in Charge.

While introducing this scale I have taken into consideration the difficulties and the hardship that the company had to bear on account of the partition. That is why in the majority of cases I have accepted the minimum that was fixed by them. The other thing which will be noticed is that I have done away with two efficiency bars and I have kept only one and the increments which I have suggested should be automatic unless there is something against an individual. The number of

employees who should be treated as senior clerks will be left to the discretion of the management.

5. *Allowance*.—Taking first the case of dearness all value the claim of the Union is that they should get 50 per cent. of the basic salary along with the salary subject to the minimum of Rs. 45. At present the company is paying Rs. 35 D/A at a flat rate to all the employees except peons and the peons are getting dearness allowance at a flat rate of Rs. 22. The management give various reasons why higher dearness allowance is not given. My attention has been drawn to a recent circular of the Government of India in the Ministry of Finance No. F. 9(4).E.II/51 dated 12th June 1951 in which they raised the dearness allowance of all the employees of the Government by Rs. 5 upto Rs. 300. In this case also all that I can do is to raise the dearness allowance of all concerned by Rs. 5 (five) both for the clerical staff as well as the peons.

The Union claims another allowance known as Border allowance. This is an unusual sort of demand in the sense that no other insurance company whose offices are situated in Amritsar is paying this allowance. The company naturally objects to this sort of allowance. I feel that the objection of the company is well founded, although the Union says that the employees in other concerns are better paid. This new sort of allowance cannot be allowed without adequate reasons which I feel are wanting.

The next allowance mentioned is that of officiating allowance. The claim of the Union is that the employees in the lower grade who officiates in a higher post for a period exceeding 7 days should be at the rate of pay for the post for which he officiates. They have elucidated this in their supplementary statement. They say that the scales of officiating allowance should be fixed as follows.

1. For officiating as an accountant in charge of any section.

To be paid for the period so acted at the same rate of pay which the section in charge or accountant gets or a lump sum amount of Rs. 50 per month whichever be less.

2. Acting for Head of Office:

At the rate of Rs. 100 per month or difference of pay whichever be less.

The management at the time of hearing suggested that 20 per cent. of the senior starting grade *plus* the pay of the acting man should be paid as officiating allowance provided he works for 10 days or more. I am prepared to accept the suggestion in full. If an employee officiates for a man in a higher post for ten days he would get 20 per cent. of the seniors starting grade *plus* the pay of the acting man.

So far as the special allowance is concerned it is with regard to graduates and typists. The union claims that typists should get Rs. 20 extra for a month and graduates and others who acquired special qualifications should get Rs. 25 p.m. extra. I understand that there are very few employees of this qualification in the company. As the number of typists and graduates are almost negligible, I do not want to interfere with the present arrangement of the company.

6. *Item No. 2—Bonus*.—The original demand of the Union was that every employee should be paid bonus every year equal to a month's salary. They say that the employees of this concern like other concerns are entitled to share the profits of the company along with other shareholders from which the employees have been deprived till now, whereas the shareholders have received dividends for a long time.

The management on the other hand, pointed out that bonus is usually paid when large profits are made and large dividends are declared. They give facts and figures to show that the present company was not of a type in which bonus should be declared. The Union has contested this proposition in its supplementary statement but the points and facts do not seem to be important in view of the legal position. In the case of Hindusthan Co-Operative Insurance Society Limited and their workmen reported in L.L.J. Vol. I-1952, page 230 at page 240 the learned Adjudicator has referred to Section 31A(1) of the revised Insurance Act which runs as follows:—

"31A(1) Notwithstanding anything to the contrary contained in the Indian Companies Act 1913 (VII of 1913) or in any contract or agreement no insurer shall after the expiry of one year from the commencement of the Insurance (Amendment) Act 1950—

(vii) the payment of bonus in any year on a uniform basis to all salaried employees or any class of them by way of additional remuneration

such bonus, in the case of any employee, not exceeding in amount the equivalent of his salary for a period which, in the opinion of the Central Government, is reasonable having regard to the circumstances of the case."

and held that in the light of the statutory provisions the determination of bonus rests with Central Government and the Tribunal was not competent to adjudicate upon it. I respectfully agree with the observations of the learned adjudicator and I am of opinion that the demand of the employees cannot be granted.

7. Item No. 3—Provident Fund.—The provident Fund in this company is managed by a body of trustees. I have looked into the Provident Fund Rules of this company and Rule 3 runs as follows:

"The Trustees of the Fund shall be three Directors of the company (hereinafter called the Director Trustees) together with two members of the Fund to be nominated by the Directors. Each of the two members thus nominated (hereinafter called the member trustees) shall be an officer of the company. A Director trustee shall cease to be a Trustee whenever he ceases to be a Director. A member trustee shall cease to be a trustee whenever he ceases to be an officer of the company."

That being the position the question arises whether this matter can be dealt with by this Tribunal in the absence of the Trustees. In the case of Hindustan Co-operative Insurance Society Ltd. and its employees published in 1952, Vol. I., L.L.J. p. 230 the learned adjudicator has referred to the observations in a previous award and the learned adjudicator did not accept the contention of one of the parties that the Tribunal was not in a position to go into the matter. But on merits he rejected the demands of the Union. But I find looking at the award no reference has been made to the decision of the Labour Appellate Tribunal of India reported in 1951-Vol. II, L.L.J. page 314 where in para. 74 the Chairman and the members of the Appellate Tribunal held that the trustees of that fund were not parties to the appeal and they could not go into the question in their absence. That being the position I am afraid that this question cannot be gone into by this Tribunal because I am bound to follow the decision of the Labour Appellate Tribunal of India.

8. Item No. 4—Holidays and Leave Rules.—The Union demand that they should get all the holidays that are being enjoyed by the Government offices and banks. If the holidays cannot be provided for some reason or other in line with the Government offices they should get holidays enjoyed by the bank employees plus the local holidays where the Head Office of the company is situated. They complain that at times they are forced to work in the office even on most important and national holidays such as Dusehra and Lala Lajpat Rai anniversary etc.

The management reject the claim of the Union by referring to various speeches of prominent men of our country and also by referring to conditions that are prevailing in foreign countries such as France and Germany. At the time of hearing they also pointed out that most of the employees are Hindus or Sikhs and they should not be interested in Muhammadan or Christian holidays. Therefore the company submit that the holidays that they allow is quite sufficient, especially in view of the fact that there are about 25 employees in the Head Office and only two in the Delhi Branch. The company has filed Ex. 3-4 of this Tribunal which is the list of holidays granted in the year 1951. It has also filed a list showing the total number of holidays besides Sundays which comes to 21 days. There is another document attached which is the list of bank holidays for 1951 given by the Punjab Co-operative Bank Limited, Amritsar. It may be relevant to note that this company is situated in the same building as the Co-operative General Assurance Co. Ltd. From that list it appears that besides Sundays they declared 23 days as holidays. The Imperial Bank of India on the other hand, as it appears from Ex. C-4 gave about 26 holidays. Even if the company is not prepared to give holidays in which the employees are not interested I see no reason why the holidays should not be brought in line with the holidays given by the Punjab Co-operative Bank Limited. I would give my award accordingly. The statement that Lala Lajpat Rai anniversary holiday was not given by the company is not correct.

The other section of this item No. 4 is about leave rules. So far as this item is concerned the Union in their original statement mentioned the fact that only 15 days casual leave was allowed to them during the year and even this was not granted to the employees as a matter of right but upon the discretion of the officials of the company. They claim that they should get privilege leave of one month for every 11 months of service with the right to accumulate for six months. They also want casual leave for 20 days in the year. They further demand that

sick leave should be given to every employee for one month on full pay and 15 days with half pay and this leave should be independent of any other leave or leaves. I am afraid the demand of the Union with regard to leave has been made in a bargaining spirit.

From a synopsis of leave rules of different insurance companies situated in Amritsar, it appears that they are not exactly the same as the Union demands. But at the same time I do not see why the Co-operative Assurance Company should not give privilege or medical leave to its employees. (I have seen the chart of leaves granted by other insurance companies at Amritsar at page 49 of the Union's supplementary statement.) As the number of employees are small I would not make privilege leave as high as other companies but I would grant them 15 days privilege leave every year which can be accumulated upto 14 months. So far as the medical leave is concerned I would grant them 15 days medical leave in a year on full pay. If any further medical leave is granted in excess of 15 days it may be granted on half pay. If both these medical leaves are exhausted the employees should be on leave without pay.

The amount of casual leave is to remain as before. They may be prefixed or suffixed to a holiday but not both. Not more than seven days casual leave to be taken at one time.

9. Item No. 5—Hours of work—The Union says that they have to work from 10 A.M. to 6 P.M. on all working days including Saturdays, with a break of half hour in the middle of the day. They want that the working hours should be 10 A.M. to 5 P.M. with half an hour's rest in the middle of the day except on Saturdays when the working hours should be 10 A.M. to 1.30 P.M. They give other instances of similar insurance companies where different timings are observed. At present the rate of working hours comes to 48 hours a week of 6 days. Shri Jagraj for the management took his stand upon the Punjab Trade Employees Act. He referred to Section 4 of the Act which allowed 54 hours in a week and 10 hours in any one day and they are not acting in breach of this enactment. The wording of the Section runs as follows:

"4(1). Subject to the provisions of this Act no person shall be employed about the business of a shop or commercial establishment for more than (the normal maximum working hours that is to say fifty-four hours in any one week and ten hours in any one day)."

The above section will show that it was really the maximum that was fixed and it does not mean that every one should work at the maximum rate, especially when other concerns of a similar nature in Amritsar or elsewhere are working at shorter hours of work. Looking at the list submitted by the Union in their supplementary statement at page 47 it appears that the hours of working in this company is higher. They work from 10 to 6 P.M. on week days with a recess of half hour and on Saturdays also they work from 10 to 6 P.M. with a recess of half hour. Every other company situated at Amritsar has got appreciably lower number of working hours. I would therefore fix the number of working hours on week days from 10 to 5 P.M. with recess for half hour. But on Saturdays I would make it from 10 A.M. to 1.30 P.M. That is six and half hours work on week days and three and half hours on Saturdays.

10. Item No. 6—Victimisation.—(a) The first case that was placed before me by the Union was that of Ved Prakash Sharma. He is now dead. He died on 26th September 1950. It is said that he was served with a notice on 18-2-50 terminating his services on 17th March 1950, but this notice was not made effective and he was paid upto 30th June 1950. He was drawing a salary of Rs. 50 as basic and Rs. 35 as dearness allowance. The management claims that they used to help him from time to time and also paid a lump sum of Rs. 50 to the mother of Ved Prakash Sharma on 1st June 1950. He has been in service from 13th March 1946 till the date of his death. I am very glad to note that the management is prepared even now to pay a sum of Rs. 200 (two hundred) to his mother in the shape of assistance. I would leave the matter at that and only hope that the management would pay the amount within 30 days of the publication of this award.

(b) The next case that was placed before this Tribunal is that of Dev Dutt Sharma. He joined service of the company in 1943 and a notice of discharge was served on him on 26th October 1950. The letter of discharge was sent by the Secretary on 26th October 1950. Dev Dutt Sharma did not appear before this Tribunal during its sittings at Amritsar nor at any time. According to Shri Mohan Lal Aggarwal he is serving somewhere in Chamba. The management say that it could not be a case of victimisation because they did not even know whether he was a member of the Union or not and there are other members who have not

been victimised and there is very little to show that he was an active member of the Union. It is true that no charge sheet was given to him in writing but the management says the matter was orally thrashed out with him on several occasions. In the absence of Shri Dev Dutt Gahlot, I do not see any reason to interfere with the orders passed by the management.

(c) The next case of alleged victimisation was that of Hari Nath Kalia. He joined service on 9th August 1948 and a notice of discharge was served on him on 26th October 1950. He also did not appear and it appears that he was mostly on leave between August and December 1949. He was not educated in English in which the records of the company are maintained and so he could not be used as an useful officer. It has been said by one of the parties that he is working at Kartarpur in a furniture firm. It is very difficult what the real grievance is about this employee when he is not before this Tribunal. The management has pointed out that he was a sickly person and they have given various dates on which he was absent. They are January 1950, March 1950, April 1950 etc. On these materials before me I am not prepared to order reinstatement in this case.

(d) The next case of victimisation is that of one Rameshwar Prasad. He appeared before me but I have made a note that he does not look quite normal. He was in service from February 1947 to 20th October 1950. Just now he is working in the Amritsar Municipality as a daftri where he is getting Rs. 30 as basic and Rs. 25 as dearness allowance whereas in the company he was getting Rs. 45 basic and Rs. 35 as dearness allowance. He wants to be reinstated so that he can get better pay than what he is getting at present. The trouble is that he does not seem to be quite a normal person of the type who can be utilised by the company. I have read some of the letters, e.g., Ex-9-6 and 10-6 which he sent to the company in Urdu and wherever I could not decipher I got the assistance of someone else who is well versed in the language. From those letters it will appear that he is not the type of person who can be ordered to be reinstated in an insurance company. But we have to consider what should be done when the company has discharged him without proper formalities being observed, that is to say without issuing any charge sheet or giving any opportunity for filing explanation. I think that although reinstatement cannot be ordered in this case under the circumstances of the case he is entitled to some sort of compensation which I fix half month's salary for every completed year of service. The payment to him should be made within 30 days of the publication of this award.

(e) The next case is that of one Guru Dass Dutt. He joined service of this company on 21st October 1946 and was discharged on 20th June 1950 for impertinent and quarrelsome behaviour. He says that he does not remember if he received any oral warning from the company. An attempt was made to establish that he was an active member of the Union and therefore he has been victimised. But when he was shown Ex L-6, the minute book of the Union meetings, he could not point out having attended any of the meetings recorded in that Ex. L-6. He has served in Military Accounts Dept. for sometime and just now he is working for the Aslan Assurance Co. Ltd. and he is getting a commission. He is a retired Government pensioner getting pension. Ex. 12-6 and Ex. 13-6 dated 3rd February 1948 and 27th September 1949 were shown to him and he admitted that those letters, in which he practically admitted having used undesirable language, were written by him. He does not even remember when he was discharged whether in 1948 or 1949. Evidently he is not very keen about being reinstated. When the management found him to be impertinent and quarrelsome, the Tribunal will not be justified in forcing the management to take him. My award therefore in this case is against the Union.

(f) The last case that was placed before me was that of one Mohan Lal Aggarwal. He is a graduate. He began service in the company in Lahore in the year 1947 and after a break of a few months service at the time of partition he joined the company again at Amritsar in June 1948. He was served with a notice on 26th October 1950 that his services were no longer required because his work and general knowledge and handwriting were not of such a type as to entitle him to continue in employment in the company. But the company allowed him a period of three months to show progress and in the event of failure to do so his services were to be terminated. This notice was sent in an envelope and it is said that Mohan Lal Aggarwal refused to take delivery of the envelope. The fact that an envelope was sent and he refused to take delivery cannot seriously be contested in view of the statement of Shri Lal Chand examined by the company on oath. But the fact remains that although he was given three months time to improve himself in the matters mentioned in the notice of 26th October 1950 he was served with another notice for disobedience of orders and he was told that his services would not be required after 29th November 1950. The second notice is dated 30th

October 1950. There is also a certificate given to Mohan Lal Aggarwal which is mentioned in the Union's statement which is dated 31st October 1950 signed by Shri Bawa Kharg Singh, Secretary of the company. The certificate runs as follows:

"This is to certify that Shri Mohan Lal Aggarwal, B.A., has been working under me since 1947. I always found him hard working and intelligent, and he gave satisfaction.

I wish him success in his future career.

(Sd.) Kharg Singh, Secretary."

31st October 1950.

There is no specific denial of the genuineness of this certificate either in the statement of the management because Mohan Lal Aggarwal's case has not been dealt with in the reply of the management to the preliminary statement of the Union. Nor anybody examined on behalf of the company denied the correctness of this certificate. He has been acting as a President of the Union and Ex. L-6, the minute book of the Union, will show that he was an active member of the Union and presided at most of the meetings of the Union. This Union I may incidentally mention has not been registered although I am told that steps for registration had been taken nor has it been recognised by the management. (The Union has since been registered vide their letter dated 26th February 1952 which was received by the Tribunal on 28th February 1952. The registration No. of the Union is 21 of 1951-52). There is no doubt in my mind that he was an active member of the Union. It is surprising to me as to how the question of handwriting arose after so many years of his original employment. This man is aged about 32 years and I am surprised that the management asked him to improve his handwriting at that age when they had managed to go on with him from the year 1947 almost to the end of the year 1950.

There is another point that is to be mentioned namely that he filed a suit against the company *informa pauperis* and his application was dismissed and he is not in a position to deposit the court fee. This matter is being mentioned only incidentally and it does not affect the merits of the case.

There is another matter that is to be taken into consideration as to what was the position in law with regard to the conciliation proceedings in connection with which the conciliation officer came to Amritsar on 17th January 1950. After 17th January 1950 the next important date is 16th November 1950 when the Conciliation Officer, Central, New Delhi, wrote to the President of the Union that the matter was under consideration, and that the Union would hear the result in due course. (Ex. N-6). At any rate, upto 16th November 1950 the conciliation proceedings had not ended. The next date of importance is 11th December 1950 on which date the Conciliation Officer wrote to Shri Satya Paul, Secretary of the Co-operative Assurance Co. Ltd. Employees Union.

The argument on behalf of the management has been that under Section 20 of the Industrial Disputes Act 1947 a conciliation proceeding shall be deemed to have commenced on the date on which a notice of strike or lock-out under section 22 is received by the conciliation officer. But as this is a non-public utility service it cannot be said as to how long the conciliation proceeding lasted. They suggest that section 20 is only applicable in cases of public utility service when a notice of strike or lock-out under Section 22 is received by the conciliation officer from the parties. So Section 20 is not applicable in this case.

There have been some comments by some of the annotators of the Industrial Disputes Act with regard to the bad drafting of this particular section. One of the annotators goes so far as to say that conciliation proceedings according to Section 20(1) in non-public utility service which constitutes the large bulk of conciliation proceedings have no legal commencement at all. But, however, unsatisfactory the workings of these particular sections may be, I think that there is no difficulty in holding as to when a conciliation proceeding begins even in a non-public utility service. Section 20 sub-section (1) no doubt says that a conciliation proceeding shall be deemed to have commenced on the date on which a notice of strike or lock-out under section 22 is received by the conciliation officer or on the date of the order referring the dispute to a Board, as the case may be.

The word 'deemed' is important because legally the conciliation proceeding by this section is supposed to have begun on the date the notices are received by the conciliation officer whether he starts conciliation proceedings or not. But we cannot shut our eyes to the actual facts if a conciliation officer has started a conciliation proceeding or not. It will be idle to say that the conciliation proceedings have not begun, because conciliation proceeding has been

defined in the enactment and it says that conciliation proceeding means any proceeding held by a conciliation officer or Board under this Act. At least on the facts the conciliation proceedings began on 17th January 1950. The next question is as to when it ended. Conciliation proceeding is supposed to end when the report of the conciliation officer is received by the appropriate Government. The actual date on which the appropriate Government received the report is not before me. The letter dated 11th December 1950 (Ex. O-6) informs the Secretary of the Union that their representation has been forwarded to the Chief Labour Commissioner, New Delhi. But we need not go so far. From the letter dated 16th November 1950 it is clear that the matter was still receiving consideration. From this it appears that the matter was receiving attention upto 16th November 1950 and the order against Mohan Lal Aggarwal and some other discharged persons were passed on 26th October 1950 and in the case of Mohan Lal Aggarwal order of discharge was passed on 30th October 1950 and therefore the conciliation proceeding was pending till then. Now we have to take into consideration the wording of Section 33 of the Act which lays down that during the pendency of any conciliation proceeding or proceedings before a Tribunal in respect of any industrial dispute no employer shall—(a) alter to the prejudice of the workmen concerned in such dispute the conditions of service applicable to them immediately before the commencement of such proceedings or (b) discharge or punish, whether by dismissal or otherwise, any workman concerned in such dispute, save with the express permission in writing of the conciliation officer Board or Tribunal as the case may be. I have not been shown anything from which it can be gathered that the permission of the conciliation officer was taken. Under these circumstances, I am afraid the case of Shri Mohan Lal Aggarwal comes within the scope of Section 33 of the Industrial Disputes Act 1947. It was argued, I hope not seriously, that it was not a case of punishment but it was a case of non-fulfilment of certain conditions of service. But this is not the point in the case. The question is whether the condition of service has been changed to the prejudice of this employee during the pendency of the conciliation proceedings. I am of opinion that the conditions of service were changed in these circumstances. If something has been done by the parties to a dispute in the course of conciliation proceedings to the prejudice of the other party what are the steps that a Tribunal can take under the circumstances. It was held by the Labour Appellate Tribunal of India in the case between Surat Borough Municipality and their workmen published in L.L.J., Vol. I-1952 at page 41 in para. 4 at page 42 that:

"Since it has been admitted that the discharge had been made in contravention of Section 33, the only order that could be passed on an application under Section 33A was an order for reinstatement, and that the Tribunal could not and should not apply its mind to the propriety or justification of the discharge. We are unable to accept any such limitation. In the case of Serampore Belting Co. Ltd., the scope and effect of enquiry under Section 33A was considered by the Calcutta Bench of the Labour Appellate Tribunal of India (1951-II, L.L.J. p. 341). It was there observed:

"Section 33A of the Act has conferred a right on the aggrieved workmen to have at their instance the dispute regarding the change of conditions of service or their discharge or punishment whether by dismissal or otherwise during the pendency of the proceedings mentioned under section 33 adjudicated upon by approaching the Tribunal direct without the intervention of Government. The remedy regarding prosecution under Section 31 has been left untouched. Thus by the introduction of Section 33A, two objects have been attained, namely, (1) avoidance of multiplicity of proceedings and (2) a more speedy determination of the dispute. The scope of the enquiry under Section 33A would be the same as it would have been before the amendment of 1950 if a reference by the appropriate Government has been made and this, in our opinion, is indicated by the phrase 'as if it were a dispute referred to' occurring in that section. The language of Section 33A presupposed that Section 33 had been contravened by the employer. It is that fact which gives the aggrieved employee the right to set the Tribunal in motion. If the fact of contravention of Section 33 is challenged by the employer that would raise a preliminary issue, and if that preliminary issue is decided in favour of the employee a further enquiry into the dispute can be proceeded with. It follows that the scope of this further enquiry is to be different and distinct from the enquiry necessary for the determination of the preliminary issue and so must necessarily be in respect of the merits of the challenged act of the employer. We therefore see no good reason for the adoption of

the view that Section 33A only defines the procedure to be followed by the Tribunal in enquiring into the complaint and that enquiry would be only to see if Section 33 had been contravened."

I have dealt with these individual cases of discharge keeping in mind the observations in this report. I have held that no case was made out for reinstatement in some cases and in some cases I have allowed a sort of compensation either with or without the consent of the management. In the case of Mohan Lal Aggarwal it appears to me that his discharge is not unconnected with his Union activities when he ultimately became the President. Under these circumstances and considering the materials upon which the orders of discharge were passed, I am of opinion that he should be reinstated from the date of his discharge and he should be paid the salary and allowances that he was getting at the time of discharge to the time of his reinstatement within one month of the publication of this award.

11. *Item No. 7—Insurance Scheme.*—This item is not specifically mentioned in the reference. But it comes under the heading additional items. The Union demands that the company should adopt a suitable insurance scheme for insuring the lives of its employees against accidents, injuries, loss of life, and such other risks. The insured amount should be made available at the time of retirement from the service of the company and in the event of death if earlier to his beneficiaries. Fifty per cent. of the premium amount should be borne by the company and the remaining 50 per cent. paid from time to time to the Provident Fund account of the employee concerned by way of contribution from the employees as well as the company. The Union has given a more detailed scheme at page 33 of their supplementary demand. They have also given a list of various insurance companies where in the majority of cases the concession is not more than 10 per cent.

The management on the other hand point out that the premium of the company are already low and no such concession should be allowed to the employees. I am afraid the demand of the Union is a high one and on the materials before me I am not prepared to allow this concession and my award on this point is against the Union.

12. *Item No. 8—Gratuity.*—This demand is also not specifically mentioned in the Government notification. The Union wants that on the death of an employee while in the service of the company he should get salary for each year of continuous service subject to a minimum of five months salary and maximum of 20 months salary. In the case of retirement he should get after completion of 10 years service 10 months salary and after completion of 15 years or more 20 months salary and on termination of service one month's salary for each completed year of service and on leaving the company after tendering resignation by the employee one month's salary for each completed year of service. In their supplementary statement the Union have cited various examples in which the gratuity has been more.

In the course of the argument the management objected to this demand chiefly on the ground that the gratuity is only another name for bonus, and like bonus it should be left to the Central Government to deal with. I am afraid I cannot agree with this contention of the management. The bonus is granted while the man is still working and gratuity is granted when he ceases to be in service either on account of death or retirement, termination of service by the employer, or resignation by the employee concerned. It is one of the retirement benefits really and I think the scheme that was followed in the case of the Oriental Life Assurance Co. Ltd., Bombay, published in the *Gazette*, dated 5th January 1932 at page 50 should be followed. It is as follows:

- "1. On the death of an employee while in service of the company—one month's salary for each completed year of service subject to a maximum of 15 months' salary to be paid to his heirs, executors or nominees.
2. Voluntary retirement or resignation of the employee after 20 years of continuous service in the company—15 months salary.
3. (a) On termination of the service by the company after 15 years continuous service but less than 20 years service in the company $\frac{2}{3}$ of one month's salary of each year of service.
- (b) After 20 years continuous service in the company 15 month's salary".

13. *Item No. 9—Medical Aid.*—This item is to be found in para. 11 of the original statement and at page 51 of the supplementary statement of the Union. They demand free medical aid to be given to the members of the staff and their family.

They also point out that no quinine is supplied in the malaria season by the company as is done in other institutions. They also claim that the members of the staff should be medically examined at the expense of the company at least once in a year. In the course of the discussion on this point the management pointed out that a new scheme is coming into force known as National Health Service Act of the Government of India. It is not yet in force but on the lines of that enactment the management is prepared to meet the expenses from now, even before the extension of the Act to Amritsar but they should not be made to pay twice. I accept the suggestion of the management in the matter and leave it at that.

14. *Item No. 10—Recreation.*—This item has not been specifically mentioned in the notification but the Union says that the company has not made arrangements for the recreation of the employees during the rest period. They want that arrangement for playing volley-ball and Badminton should be made at the expense of the company which is in the interest of the company for a healthy mind in a healthy body will be an asset and the employees will perform their duties more efficiently and energetically. They further demand a separate furnished dining room and a library with two dailies provided in the office. So far as facilities for indoor and outdoor games are concerned it is difficult for this Tribunal to pass an order that the company should secure space for these purposes. But after visiting the building where the company has its head office it transpired that one room could be set apart as a tiffin room. That room is a corner room in the top floor of the building. The company has no objection in allowing this room to be used as a tiffin room by the employees. That being the position my award on this point is that the room suggested by the management be kept apart for the use of the employees as tiffin room.

13. *Item No. 11—Peons.*—The demand of the Union is that as there are six departments at the head office there should be at least six peons. Whereas at present there are only five peons to attend to the work of the company. They also allege that one man is deputed to attend to the Secretary and another man delivers local dak and remains the whole day outside, with the result that sometimes clerks have to carry pollyholders ledgers weighing 10 seers and have to perform peons' duties. This is really a matter of internal management and after having seen the distance that one has to travel between the place where the ledgers are kept and the desk where the clerks sit, I do not think this is a type of work which would cause any physical hardship to a clerk. I am afraid this request of asking the company to engage more peons is based more on psychological grounds than any real hardship. The Tribunal does not think it necessary to pass an order in favour of the Union on this point.

16. *Item No. 12—Retirement.*—In their original demand the Union wanted that every employee from the peon to the principal officer of the company should be made to retire on the attainment of 55 years so that young members of the staff may have the chance of coming to the higher post.

The management on the other hand, point out that there is only one clerk who has attained the age of 55 years in their company and that the Managing Director and Secretary are not hit by the Industrial Disputes Act 1947. The question of retirement in concerns like the one we are dealing with, depends upon the convenience of the parties. If there is a man who is efficient even after attaining the age of 55 years I see no reason why he should be forced to retire. This is a matter for internal management and therefore I do not want to interfere with the present state of affairs on this point.

17. *Item No. 13—House Rent Allowance.*—This was not touched upon in the original statement filed by the Union nor do I find it mentioned in the supplementary demand. They are not however debarred from raising this issue if we look at the wording of the notification issued by the appropriate government in this reference. But it appears the Union did not attach much importance to it to begin with. The management point out that this question of house rent was taken into consideration while fixing the basic pay of the employees when an employee is employed. The Union has not given me any instance in which house rent allowance has been secured as a matter of right. I am afraid I cannot give an award in favour of the Union on this point.

18. *Item No. 14—Overtime pay.*—This item was not originally mentioned in their first statement nor do I find in the supplementary statement. But in a statement filed before me on 11th November 1951 although it is dated 9th February 1952, at Amritsar, overtime pay is to be found in para 11. The management says that no occasion has arisen for making payment for overtime work, and they are not willing to pay this amount. When the hours of work are fixed, I think a person who is obliged to work under orders beyond those working hours he is entitled

to some extra remuneration. This sort of payment has been allowed by various awards. I cannot do better than follow the award published in 1931-Vol.II-L.L.J., page 399 in the matter of the dispute between the Associated Cement Company Limited and its employees at paragraph 59. It runs as follows:

"Where the employee is required by the company to work more than half an hour beyond the normal hours of duty but within the limit prescribed by law, he will be paid overtime allowance on the basis of his salary or wage rate but without dearness allowance. The monthly basic wage of an employee should be divided by the number of scheduled working hours in a month in order to arrive at the hourly wage and payment should be made accordingly.

If an employee is called on a Sunday he should be paid at 1½ rate on that day and given a compensatory holiday. If called on a holiday he is given a compensatory holiday and that is proper."

19. *Item No. 15—Security Deposit.*—The demand of the Union is that only those persons who have to handle cash should be asked to deposit cash security. According to the present practice every employee is required to deposit a cash security of Rs. 200. The management point out that this step is taken for purposes of security. The security amount is realised by instalments and interest is paid thereon for the period it is in the custody of the company. I do not understand what the grievance is on this point. Those who have joined the employment of the company they must have wholly or partly paid the security deposit. Those who have not yet joined we are not concerned with their attitude in this matter. My award on this point is against the Union.

There is one other matter which I should mention and that is that there is a prayer that something should be done in connection with the security of service in the company. One of the things that was suggested was that before a workman is discharged he should be given a charge sheet and he should be asked to submit his explanation and then orders should be passed by the management thereon. There can be no objection to this reasonable request and I would order that this procedure should be followed in the company.

Before I close I should mention one thing. When I went to the company's office for inspection one of the clerks said something about his increment to me. Later on he and another man put in applications saying that they were threatened by the Secretary. I examined these persons as well as the Secretary. I think their complaint was due to mostly to nervousness. I do not think the company would take steps merely because they made representation before me. I have to mention this because there was certain amount of excitement over this matter. I do not attach much importance to this.

I therefore give my award in terms aforesaid, this the 29th day of February 1952.

S. P. VARMA, *Chairman*,

DHANBAD;

Central Government's Industrial Tribunal Dhanbad.

Dated the 29th February 1952.

Ex. I-I

Name of Employees	Amount of salary before 1-11-50	Dearness allowance	Increase in pay	Present pay after 1-11-50	D.A.	In the grade of
	Rs.	Rs.	Rs.	Rs.	Rs.	
1. L. Ram Lubhaya . . .	60	35	5	65	35	60-5-100/E.B. 100-6-130/E.B.
2. L. Mohinder Lal . . .	50	35	10	60	35	130-8-170. Do. do.
3. L. Suraj Parkash . . .	65	35	5	70	35	Do. do.
4. Pt. Jagdish Chand . . .	50	35	10	60	35	Do. do.
5. L. Ram Parshad . . .	60	35	10	70	35	Do. do.
6. Pt. Goverdhan Das . . .	55	35	5	60	35	Do. do.
7. L. Satya Pal Tul . . .	55	35	5	60	35	Do. do.
8. L. Bhim Sen . . .	55	35	5	60	35	Do. do.
9. L. Satya Paul Mehra . . .	60	35	5	65	35	Do. do.
10. Pt. Parshotam Das . . .	50	35	10	60	35	Do. do.
11. L. Sardari Lal . . .	50	35	10	60	35	Do. do.
12. L. Ranjit Kumar . . .	55	35	5	60	35	Do. do.
13. L. Janak Raj . . .	45	35	15	60	35	Do. do.
14. L. Amrit Krishan . . .	75	35	15	90	35	Do. do.
15. S. Mohan Singh . . .	145	35	15	160	35	100-8-140/E.B. 140-10-220.
16. L. Guranditta Mall . . .	90	35	30	100	35	Do. do.

17. Pt. Muni Lal	110	35	30	140	35	140—10—200/E.B. 200—10—200
18. Lal Chand	160	35	10	170	35	Do. do.
19. L. Mukand Lal	240	10	25	265	10	Without grade.
20. L. Gouri Shankar	58	35	7	65	35	Do.
21. Uttam Chand Peon	24	22	3	27	22	Do.
22. Baohi Ram	24	22	3	27	22	Do.
23. Bhajan Singh	24	22	3	27	22	Do.
24. Shiv Narain	24	22	3	27	22	Do.
25. Tagjit Singh	25	22	3	27	22	Do.

[No. LR-90(90)]

N. C. KUPPUSWAMI, Under Secy.

INDIA, MADRAS
407464

MINISTRY OF COMMUNICATIONS

POSTS AND TELEGRAPHS DEPARTMENT

New Delhi, the 7th March 1952

S.R.O. 473.—In exercise of the powers conferred by Sub-Section (i) of Section 7 of the Telegraph Wires (Unlawful Possession) Act, 1950 (LXXIV of 1950), the Central Government hereby specially empowers each of the officers mentioned in column 1 of the Schedule hereto annexed with his headquarter specified in the corresponding entry in column 2 thereof to make complaints in respect of offences punishable under the said Act.

PART II

OFFICERS OF THE STATE GOVERNMENT

Name of State and designation of officer	Headquarter of the officer
Alabama	Montgomery
Alaska	Juneau
Arizona	Phoenix
Arkansas	Little Rock
California	Sacramento
Colorado	Denver
Connecticut	Hartford
Delaware	Dover
Florida	Tallahassee
Georgia	Atlanta
Hawaii	Honolulu
Idaho	Boise
Illinois	Springfield
Indiana	Indianapolis
Iowa	Des Moines
Kansas	Topeka
Kentucky	Frankfort
Louisiana	Baton Rouge
Maine	Portland
Maryland	Annapolis
Massachusetts	Boston
Michigan	Lansing
Minnesota	Saint Paul
Mississippi	Jackson
Missouri	Jefferson City
Montana	Helena
Nebraska	Lincoln
Nevada	Carson City
New Hampshire	Manchester
New Jersey	Trenton
New Mexico	Santa Fe
New York	Albany
North Carolina	Raleigh
North Dakota	Bismarck
Ohio	Columbus
Oklahoma	Oklahoma City
Oregon	Salem
Pennsylvania	Harrisburg
Rhode Island	Providence
South Carolina	Columbia
South Dakota	Pierre
Tennessee	Nashville
Texas	Austin
Utah	Salt Lake City
Vermont	Montpelier
Virginia	Richmond
Washington	Olympia
West Virginia	Martinsburg
Wisconsin	Madison
Wyoming	Cheyenne

(1)	(2)
Ajmer—	
Station Officer, Kotwali Police Station	Ajmer.
Station Officer, Civil Lines, Police Station	Ajmer.
Station Officer, Beawar	Beawar.
Station Officer, Nasirabad	Nasirabad.
Station Officer, Kekri	Kekri.
Station Officer, Bhinai	Bhinai.
Station Officer, Masuda	Masuda.
Station Officer, Bijainagar	Bijainagar.
Station Officer, Mangliawas	Mangliawas.
Station Officer, Pisangan	Pisangan.
Station Officer, Pushkar	Pushkar.
Station Officer, Gegal	Gegal.
Station Officer, Srinagar	Srinagar.
Station Officer, Goela	Goela.
Station Officer, Suwar	Sawar.
Station Officer, Deoli	Deoli.
Station Officer, Jawaja	Jawaja.
Station Officer, Todgarh	Todgarh.
Bombay—	
The Commissioner of Police, Greater Bombay	Bombay.
The Superintendent of Police, Western Railway	Bombay.
The District Superintendent of Police, Ahmedabad	Ahmedabad.
The District Superintendent of Police, Kaira	Kaira.
The District Superintendent of Police, Broach	Broach.
The District Superintendent of Police, Panch Mahalas	Godhra.
The District Superintendent of Police, Surat (including Dangs)	Surat.
The District Superintendent of Police, Thana	Thana.
The District Superintendent of Police, Banaskantha	Palanpur.
The District Superintendent of Police, Sabarkantha	Himatnagar.
The District Superintendent of Police, Baroda	Baroda.
The District Superintendent of Police, Mehsana	Mehsana.
The District Superintendent of Police, Amreli	Amreli.
The District Superintendent of Police, Ahmednagar	Ahmednagar.
The District Superintendent of Police, Nasik	Nasik.
The District Superintendent of Police, West Khandesh	Dhulia.
The District Superintendent of Police, East Khandesh	Jalgaon.
The District Superintendent of Police, Poona	Poona.
The District Superintendent of Police, North Satara	Satara.
The District Superintendent of Police, Sholapur	Sholapur.
The District Superintendent of Police, Kolaba	Alibag.
The District Superintendent of Police, South Satara	Sangli.
The District Superintendent of Police, Kolhapur	Kolhapur.
The District Superintendent of Police, Bijapur	Bijapur.
The District Superintendent of Police, Belgaum	Belgaum.
The District Superintendent of Police, Dharwar	Dharwar.
The District Superintendent of Police, Ratnagiri	Ratnagiri.
The District Superintendent of Police, Kanara	Karwar.
The Superintendent of Police, Central and Southern Railways	Poona.

(1)

(2)

Delhi State—

The Senior Superintendent of Police, Delhi	Delhi.
The Superintendent of Police, C. I. D.	Delhi.
The Superintendent of Police, New Delhi	New Delhi.
The Superintendent of Police, City,	Delhi.
The Superintendent of Police, Head Quarters and Rural	Delhi.
The Superintendent of Police, Enforcement	Delhi.
The Assistant Superintendent of Police, Lines	Delhi.
The Deputy Superintendent of Police, Sadar Circle	Delhi.
The Deputy Superintendent of Police, Subzimandi	Delhi.
The Deputy Superintendent of Police, Kotwali	Delhi.
The Deputy Superintendent of Police, New Delhi	New Delhi.
The Deputy Superintendent of Police, C. I. D.	Delhi.
The Deputy Superintendent of Police, C. I. D.	Delhi.
The Prosecuting Deputy Superintendent of Police	Delhi.
The Deputy Superintendent of Police, Traffic	Delhi.
The Deputy Superintendent of Police, Security	Delhi.
The Deputy Superintendent of Police, I/o Special Staff	Delhi.
The Deputy Superintendent of Police, Enforcement	Delhi.
The Deputy Superintendent of Police, C. I. D.	Delhi.
The Inspector of Police, Investigation, Kotwali	Delhi.
The Inspector of Police, Investigation, Hauz Qazi	Delhi.
The Inspector of Police, Investigation, Faiz Bazar	Delhi.
The Inspector of Police, Investigation, Subzimandi	Delhi.
The Inspector of Police, Investigation, Sadar Bazar	Delhi.
The Inspector of Police, Investigation, Karol Bagh	Delhi.
The Inspector of Police, Investigation, Special Staff	Delhi.
The Inspector of Police, Investigation, Paharganj	Delhi.
The Inspector of Police, Investigation, Civil Lines	Delhi.
The Inspector of Police, Investigation, Parliament Street	New Delhi.
The Inspector of Police, Investigation, Tughlak Road	New Delhi.
The Inspector of Police, Investigation, Delhi Cantt	Delhi Cantt.
The Inspector of Police, Investigation Rural	Delhi.
The Inspector of Police, Investigation, President's Guard	New Delhi.
The Inspector of Police, Investigation, Traffic Staff	Delhi.
The Inspector of Police, Investigation, Traffic Staff	New Delhi.
The Inspector of Police, Investigation, Old Lines	Delhi.
The Inspector of Police, Investigation, Prosecution Branch	Delhi.
The Inspector of Police, Investigation, Prosecution Branch	New Delhi.
The Inspector of Police, Investigation, Prosecution Branch	Delhi.
The Inspector of Police, Investigation, Security	New Delhi.
The Inspector of Police, Investigation, Security	New Delhi.
The Inspector of Police, Investigation, C. I. D.	Delhi.
The Inspector of Police, Investigation, C. I. D.	Delhi.
The Inspector of Police, Investigation, C. I. D.	Delhi.
The Inspector of Police, Investigation, C. I. A.	Delhi.
The Inspector of Police, Investigation, C. I. D.	Delhi.
The Inspector of Police, Investigation, C. I. D.	Delhi.
The Inspector of Police, Investigation, Special Staff, Kotwali	Delhi.

The Sub-Inspectors of Police (Investigation) posted at :—

Kotwali Police Station	Delhi.
Lahore Gate Police Post	Delhi.
Hauz Qazi Police Station	Delhi.
Faiz Bazar Police Station	Delhi.
Kashmiri Gate Police Station	Delhi.
Sadar Bazar Police Station	Delhi.
Karol Bagh Police Station	Delhi.
Civil Lines, Police Station	Delhi.
Paharganj, Police Station	Delhi.
Subzimandi, Police Station	Delhi.
Parliament Street, Police Station	New Delhi.
Reading Road, Police Station	New Delhi.
Tughlak Road, Police Station	New Delhi.
Delhi Cantt. Police Station	Delhi Cantt.
Shahadara, Police Station	Delhi Shahadara

(1)

(2)

Delhi State—contd.

The Sub Inspectors of Police (Investigation) posted at—

Narela, Police Station	Narela.
Nangloi, Police Station	Nangloi.
Najaf Garh. Police Station	Najafgarh.
Mehrauli, Police Station	Mehrauli.
Haidarpur, Police Post	Mehrauli.
C. I. A.	Delhi.
Special Staff	Delhi.
Special Dacoity Staff	Delhi.
President's Staff	New Delhi.
Old Police Lines	Delhi.
New Police Lines	Delhi.
New Delhi Police Lines	New Delhi.
C. I. D.	Delhi.
C. I. D.	New Delhi.
S. I. P. Branch	Delhi.
Prosecution Branch	Delhi.
Traffic Staff	Delhi.
Security Staff	Delhi.
New Police Lines	Delhi.
Old Police Lines	Delhi.

Hyderabad Decan.—

The Collector, Hyderabad District.	Hyderabad.
The Collector, Mahbubnagar District	Mahbubnagar.
The Collector, Raichur District	Raichur.
The Collector, Gulbarga District	Gulbarga.
The Collector, Bidar District	Bidar.
The Collector, Osmanabad District	Osmanabad.
The Collector, Bhir District	Bhir.
The Collector, Aurangabad District	Aurangabad.
The Collector, Parbhani District	Parbhani.
The Collector, Nanded, District	Nanded.
The Collector, Adilabad, District	Adilabad.
The Collector, Nizamabad District	Nizamabad.
The Collector, Medak District	Sangareddy.
The Collector, Karimnagar District	Karimnagar.
The Collector, Warangal, District	Warangal.
The Collector, Nalgonda District	Nalgonda.
The Deputy Collector, Western Division	Hyderabad.
The Deputy Collector, Eastern Division	Hyderabad.
The Deputy Collector, Mahbubnagar Division	Mahbubnagar.
The Deputy Collector, Narayanpet Division	Narayanpet.
The Deputy Collector, Nagarkurnool Division	Nagarkurnool.
The Deputy Collector, Raichur Division	Raichur.
The Deputy Collector, Gadwal Division	Gadwal.
The Deputy Collector, Lingsugar Division	Lingsugar.
The Deputy Collector, Koppal Division	Koppal.
The Deputy Collector, Gulbarga Division	Gulbarga.
The Deputy Collector, Shorapur Division	Shorapur.
The Deputy Collector, Tandur Division	Tandur.
The Deputy Collector, Bidar Division	Bidar.
The Deputy Collector, Udgir Division	Udgir.
The Deputy Collector, Osmanabad District	Lohara.
The Deputy Collector, Latur Division	Latur.
The Deputy Collector, Bhir, Division	Bhir.
The Deputy Collector, Mominabad Division	Mominabad.
The Deputy Collector, Aurangabad Division	Aurangabad.
The Deputy Collector, Jalna Division	Jalna.
The Deputy Collector, Parbhani Division	Parbhani.
The Deputy Collector, Sailu Division	Sailu.
The Deputy Collector, Hingoli Division	Hingoli.
The Deputy Collector, Nanded Division	Nanded.
The Deputy Collector, Deglur Division	Deglur.
The Deputy Collector, Adilabad Division	Adilabad.
The Deputy Collector, Nirmal Division	Nirmal.
The Deputy Collector, Asifabad Division	Asifabad.

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(2)

Hyderabad Deccan—contd.

The Deputy Collector, Nizamabad Division	Nizamabad.
The Deputy Collector, Kamareddi Division	Kamareddi.
The Deputy Collector, Bodhan Division	Bodhan.
The Deputy Collector, Sangareddi Division	Vikarabad.
The Deputy Collector, Medak Division	Medak.
The Deputy Collector, Siddipeth Division	Siddipeth.
The Deputy Collector, Karimnagar Division	Karimnagar.
The Deputy Collector, Jagtial Division	Jagtial.
The Deputy Collector, Huzurabad Division	Huzurabad.
The Deputy Collector, Warangal Division	Warangal.
The Deputy Collector, Mahbubabad Division	Mahbubabad.
The Deputy Collector, Khammam Division	Khammam.
The Deputy Collector, Kothagudum Division	Kothagudum.
The Deputy Collector, Nalgonda Division	Nalgonda.
The Deputy Collector, Miryalguda Division	Miryalguda.
The Deputy Collector, Bhongir Division	Bhongir.
Inspector General of Police,	Saifabad, Hyderabad Deccan.
District Superintendent of Police, Hyderabad District	Yerragadda, Hyderabad Deccan.
District Superintendent of Police, Mahboobnagar District	Mahboobnagar.
The District Superintendent of Police, Medak, District	Sangareddi.
The District Superintendent of Police Warangal South District	Khammameth.
District Superintendent of Police, Warangal North District	Warangal.
District Superintendent of Police, Raichur, District	Raichur.
District Superintendent of Police, Nalgonda District	Nalgonda.
District Superintendent of Police, Adilabad District	Adilabad.
District Superintendent of Police, Karimnagar District	Karimnagar.
District Superintendent of Police, Oamanabad District	Osmianabad.
District Superintendent of Police, Parbhani District	Parbhani.
District Superintendent of Police, Bhir District	Bhir.
District Superintendent of Police, Gulbarga District	Gulbarga.
District Superintendent of Police, Aurangabad District	Aurangabad.
District Superintendent of Police, Nanded District	Nanded.
District Superintendent of Police, Nizamabad District	Nizamabad.
District Superintendent of Police, Nizamabad District	Bidar.
Superintendent of Railway Police,	Secunderabad.

Madhya Bharat —

District Superintendent of Police	Bind.
District Superintendent of Police	Morena.
District Superintendent of Police	Gwalior.
District Superintendent of Police	Shivpuri.
District Superintendent of Police	Guna.
District Superintendent of Police	Rajgarh.
District Superintendent of Police	Shajapur.
District Superintendent of Police	Dewas.
District Superintendent of Police	Indore.
District Superintendent of Police	Ratlam.
District Superintendent of Police	Jhabua.
District Superintendent of Police	Mandsaur.
District Superintendent of Police	Khargone.
District Superintendent of Police	Bhilai.
District Superintendent of Police	Ujjain.
District Superintendent of Police	Dhar.

Madhya Pradesh —

Sub Inspector of Police, Kotwali	Jabalpur, Jabalpur District.
Sub Inspector of Police, Lordganj	Lordganj, Jabalpur District.
Sub Inspector of Police, Omti	Omti, Jabalpur District.
Sub Inspector of Police, Gamapur	Gamapur, Jabalpur District.
Sub Inspector of Police, Gorakpur	Gorakpur, Jabalpur District.
Sub Inspector of Police, Cantonment	Cantonment, Jabalpur District.
Sub Inspector of Police, Civil Lines	Civil Lines, Jabalpur District.
Sub Inspector of Police, Hanumantal	Hanumantal, Jabalpur District.
Sub Inspector of Police, Khamaria	Khamaria, Jabalpur District.
Sub Inspector of Police, Garha	Garha, Jabalpur District.
Assistant Sub Inspector of Police, Barela	Barela, Jabalpur District.
Assistant Sub Inspector of Police, Bargi	Bargi, Jabalpur District.

(1)

(2)

Madhya Pradesh—contd.

Assistant Sub Inspector of Police, Kundam	Kundam, Jabalpur District.
Sub Inspector of Police, Patan	Patan, Jabalpur District.
Assistant Sub-Inspector of Police, Patan	Patan, Jabalpur District.
Sub Inspector of Police, Katangi	Katangl, Jabalpur District.
Sub Inspector of Police, Shahpura	Shahpura, Jabalpur District.
Assistant Sub Inspector of Police, Belkhera	Belkhera, Jabalpur District.
Sub Inspector of Police, Sihora	Sihora, Jabalpur District.
Assistant Sub Inspector of Police, Sihora	Sihora, Jabalpur District.
Sub Inspector of Police, Panagar	Panagar, Jabalpur District.
Sub Inspector of Police, Majhgawan	Majhgawan, Jabalpur District.
Sub Inspector of Police, Majholi	Majholi, Jabalpur District.
Assistant Sub Inspector of Police, Dhimarkhede	Dhimarkhede, Jabalpur District.
Sub Inspector of Police, Umaria	Umaria, Jabalpur District.
Assistant Sub Inspector of Police, Sleemanabad	Sleemanabad, Jabalpur District.
Assistant Sub Inspector of Police, Boharibund	Boharibund, Jabalpur District.
Sub Inspector of Police, Murwara (Katni)	Murwara (Katni), Jabalpur District.
Assistant Sub Inspector of Police, Barawara	Barawara, Jabalpur District.
Sub Inspector of Police, Barhi	Barhi, Jabalpur District.
Sub Inspector of Police, Bijeraghogharh	Bijeraghogharh, Jabalpur District.
Assistant Sub Inspector of Police, Kymore	Kymore, Jabalpur District.
Sub Inspector of Police, Rithi	Rithi, Jabalpur District.
Sub Inspector of Police, Sagar City	Sagar City, Sagar District.
Sub Inspector of Police, Cantonment	Cantonment, Sagar District.
Assistant Sub Inspector of Police, Narayaoli	Narayaoli, Sagar District.
Sub Inspector of Police, Jaisinagar	Jaisinagar, Sagar District.
Sub Inspector of Police, Rahatgarh	Rahatgarh, Sagar District.
Sub Inspector of Police, Surkhi	Surkhi, Sagar District.
Sub Inspector of Police, Sanodha	Sanodha, Sagar District.
Sub Inspector of Police, Khurai	Khurai, Sagar District.
Sub Inspector of Police, Bina	Bina, Sagar District.
Sub Inspector of Police, Bhangarh	Bhangarh, Sagar District.
Sub Inspector of Police, Malthone	Malthone, Sagar District.
Assistant Sub Inspector of Police, Bandri	Bandri, Sagar District.
Sub Inspector of Police, Banda	Banda, Sagar District.
Assistant Sub Inspector of Police, Bahrol	Bahrol, Sagar District.
Assistant Sub Inspector of Police, Baraitha	Baraitha, Sagar District.
Sub Inspector of Police, Shahgarh	Shahgarh, Sagar District.
Sub Inspector of Police, Rehli	Rehli, Sagar District.
Sub Inspector of Police, Garhakota	Garhakota, Sagar District.
Sub Inspector of Police, Deori	Deori, Sagar District.
Sub Inspector of Police, Maharajpur	Maharajpur, Sagar District.
Sub Inspector of Police, Kesli	Kesli, Sagar District.
Sub Inspector of Police, Damoh	Damoh, Sagar District.
Sub Inspector of Police, Patharia	Patharia, Sagar District.
Sub Inspector of Police, Hindoria	Hindoria, Sagar District.
Assistant Sub Inspector of Police, Nohta	Nohta, Sagar District.
Assistant Sub Inspector of Police, Jabera	Jabera, Sagar District.
Assistant Sub Inspector of Police, Tejgarh	Tejgarh, Sagar District.
Sub Inspector of Police, Tendukhera	Tendukhera, Sagar District.
Sub Inspector of Police, Hatta	Hatta, Sagar District.
Sub Inspector of Police, Mariadoh	Mariadoh, Sagar District.
Sub Inspector of Police, Gaisabad	Gaisabad, Sagar District.
Sub Inspector of Police, Bataigarh	Batalgarh, Sagar District.
Sub Inspector of Police, Kumhari	Kumhari, Sagar District.
Sub Inspector of Police, Mandla	Mandla, Mandla District.
Assistant Sub Inspector of Police, Mohgaon	Mohgaon, Mandla District.
Assistant Sub Inspector of Police, Ghughri	Ghughri, Mandla District.
Sub Inspector of Police, Bamhni	Bamhni, Mandla District.
Sub Inspector of Police, Nainpur	Nainpur, Mandla District.
Sub Inspector of Police, Bichhia	Bichhia, Mandla District.
Sub Inspector of Police, Dindori	Dindori, Mandla District.
Assistant Sub Inspector of Police, Samnapur	Samnapur, Mandla District.
Assistant Sub Inspector of Police, Mawai	Mawai, Mandla District.
Sub Inspector of Police, Shahpur	Shahpur, Mandla District.
Assistant Sub Inspector of Police, Karanjia	Karanjia, Mandla District.
Sub Inspector of Police, Bajag	Bajag, Mandla District.
Sub Inspector of Police, Niwas	Niwas, Mandla District.

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Madhya Pradesh—contd.

Assistant Sub Inspector of Police, Shahpura	. Shahpura, Mandla District.
Assistant Sub Inspector of Police, Tikaria	. Tikaria, Mandla District.
Assistant Sub Inspector of Police, Bijadandi	. Bijadandi, Mandla District.
Sub Inspector of Police, Hoshangabad	. Hoshangabad, Hoshangabad District.
Sub Inspector of Police, Itarsi	. Itarsi, Hoshangabad District.
Assistant Sub Inspector of Police, Kosla	. Kosla, Hoshangabad District.
Sub Inspector of Police, Seoni-Malwa	. Seoni-Malwa, Hoshangabad District.
Assistant Sub Inspector of Police, Sheopur	. Sheopur, Hoshangabad District.
Sub Inspector of Police, Sohagpur	. Sohagpur, Hoshangabad District.
Sub Inspector of Police, Pipariya	. Pipariya, Hoshangabad District.
Sub Inspector of Police, Bankheri	. Bankheri, Hoshangabad District.
Sub Inspector of Police, Pachmarhi	. Pachmarhi, Hoshangabad District.
Sub Inspector of Police, Babai	. Babai, Hoshangabad District.
Sub Inspector of Police, Harda	. Harda, Hoshangabad District.
Sub Inspector of Police, Rahatgaon	. Rahatgaon, Hoshangabad District.
Sub Inspector of Police, Timarni	. Timarni, Hoshangabad District.
Sub Inspector of Police, Chhipapar	. Chhipapar, Hoshangabad District.
Assistant Sub Inspector of Police, Handia	. Handia, Hoshangabad District.
Sub Inspector of Police, Makrai	. Makrai, Hoshangabad District.
Sub Inspector of Police, Narsimhapur	. Narsimhapur, Hoshangabad District.
Sub Inspector of Police, Chhindwara (Gotegaon)	. Chhindwara (Gotegaon), Hoshangabad District.
Sub Inspector of Police, Them	. Them, Hoshangabad District.
Assistant Sub Inspector of Police, Mungwani	. Mungwani, Hoshangabad District.
Sub Inspector of Police, Kareli	. Kareli, Hoshangabad District.
Sub Inspector of Police, Gadarwara	. Gadarwara, Hoshangabad District.
Sub Inspector of Police, Suatala	. Suatala, Hoshangabad District.
Sub Inspector of Police, Sainkhara	. Sainkhara, Hoshangabad District.
Sub Inspector of Police, Tendukhera	. Tendukhera, Hoshangabad District.
Sub Inspector of Police, Gotitoria	. Gotitoria, Hoshangabad District.
Sub Inspector of Police, Chhindwara	. Chhindwara, Chhindwara District.
Sub Inspector of Police, Mokhair	. Mokhair, Chhindwara District.
Assistant Sub Inspector of Police, Bhatoria	. Bhatoria, Chhindwara District.
Sub Inspector of Police, Umroth	. Umroth, Chhindwara District.
Sub Inspector of Police, Parasia	. Parasia, Chhindwara District.
Sub Inspector of Police, Jamai	. Jamai, Chhindwara District.
Sub Inspector of Police, Damua	. Damua, Chhindwara District.
Sub Inspector of Police, Tamia	. Tamia, Chhindwara District.
Assistant Sub Inspector of Police, Mahuljhir	. Mahuljhir, Chhindwara District.
Sub Inspector of Police, Amarwara	. Amarwara, Chhindwara District.
Sub Inspector of Police, Chaurai	. Chaurai, Chhindwara District.
Sub Inspector of Police, Chand	. Chand, Chhindwara District.
Sub Inspector of Police, Harrai	. Harrai, Chhindwara District.
Assistant Sub Inspector of Police, Khapa	. Khapa, Chhindwara District.
Sub Inspector of Police, Sausar	. Sausar, Chhindwara District.
Sub Inspector of Police, Lodhikhera	. Lodhikhera, Chhindwara District.
Sub Inspector of Police, Pandhurna	. Pandhurna, Chhindwara District.
Sub Inspector of Police, Lavaghoghri	. Lavaghoghri, Chhindwara District.
Assistant Sub Inspector of Police, Bichwa	. Bichwa, Chhindwara District.
Sub Inspector of Police, Seoni	. Seoni, Chhindwara District.
Sub Inspector of Police, Bandole	. Bandole, Chhindwara District.
Sub Inspector of Police, Korai	. Korai, Chhindwara District.
Sub Inspector of Police, Burghat	. Burghat, Chhindwara District.
Sub Inspector of Police, Kanhiwara	. Kanhiwara, Chhindwara District.
Sub Inspector of Police, Keolari	. Keolari, Chhindwara District.
Assistant Sub Inspector of Police, Ugli	. Ugli, Chhindwara District.
Sub Inspector of Police, Lakhnadon	. Lakhnadon, Chhindwara District.
Assistant Sub Inspector of Police, Dhanora	. Dhanora, Chhindwara District.
Sub Inspector of Police, Dhuma	. Dhuma, Chhindwara District.
Assistant Sub Inspector of Police, Kindrai	. Kindrai, Chhindwara District.
Sub Inspector of Police, Ghansore	. Ghansore, Chhindwara District.
Sub Inspector of Police, Chhapara	. Chhapara, Chhindwara District.

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Madhya Pradesh—contd.

Sub Inspector of Police, Kotwali	Kotwali, Raipur District.
Sub Inspector of Police, Gunj	Gunj, Raipur District.
Sub Inspector of Police, Dhamtari	Dhamtari, Raipur District.
Sub Inspector of Police, Kurud	Kurud, Raipur District.
Sub Inspector of Police, Sihawa	Sihawa, Raipur District.
Sub Inspector of Police, Abhanpur	Abhanpur, Raipur District.
Sub Inspector of Police, Arang	Arang, Raipur District.
Assistant Sub Inspector of Police, Dharsiva	Dharsiva, Raipur District.
Assistant Sub Inspector of Police, Kharora	Kharora, Raipur District.
Sub Inspector of Police, Baloda Bazar	Baloda Bazar, Raipur District.
Sub Inspector of Police, Bhatapara	Bhatapara, Raipur District.
Sub Inspector of Police, Palari	Palari, Raipur District.
Sub Inspector of Police, Singa	Singa, Raipur District.
Sub Inspector of Police, Bilaigarh	Bilaigarh, Raipur District.
Assistant Sub Inspector of Police, Kasdol	Kasdol, Raipur District.
Sub Inspector of Police, Gariaband	Gariaband, Raipur District.
Sub Inspector of Police, Rajim	Rajim, Raipur District.
Assistant Sub Inspector of Police, Magarlod	Magarlod, Raipur District.
Assistant Sub Inspector of Police, Chhura	Chhura, Raipur District.
Assistant Sub Inspector of Police, Mainpur	Mainpur, Raipur District.
Sub Inspector of Police, Deobhog	Deobhog, Raipur District.
Sub Inspector of Police, Mahasamund	Mahasamund, Raipur District.
Sub Inspector of Police, Komakhan	Komakhan, Raipur District.
Sub Inspector of Police, Pithora	Pithora, Raipur District.
Assistant Sub Inspector of Police, Tumgaon	Tumgaon, Raipur District.
Sub Inspector of Police, Saraipilli	Saraipilli, Raipur District.
Sub Inspector of Police, Basna	Basna, Raipur District.
Sub Inspector of Police, Bilaspur	Bilaspur, Bilaspur District.
Sub Inspector of Police, Hirri	Hirri, Bilaspur District.
Sub Inspector of Police, Masturi	Masturi, Bilaspur District.
Sub Inspector of Police, Ratanpur	Ratanpur, Bilaspur District.
Sub Inspector of Police, Kota	Kota, Bilaspur District.
Sub Inspector of Police, Gourella	Gourella, Bilaspur District.
Assistant Sub Inspector of Police, Marwahi	Marwahi, Bilaspur District.
Sub Inspector of Police, Janjgir	Janjgir, Bilaspur District.
Sub Inspector of Police, Aklatera	Aklatera, Bilaspur District.
Sub Inspector of Police, Jaijaipur	Jaijaipur, Bilaspur District.
Assistant Sub Inspector of Police, Champa	Champa, Bilaspur District.
Sub Inspector of Police, Sheorinarayan	Sheorinarayan, Bilaspur District.
Sub Inspector of Police, Pamgarh	Pamgarh, Bilaspur District.
Sub Inspector of Police, Dabhra	Dabhra, Bilaspur District.
Sub Inspector of Police, Mungeli	Mungeli, Bilaspur District.
Sub Inspector of Police, Lormi	Lormi, Bilaspur District.
Sub Inspector of Police, Kunda	Kunda, Bilaspur District.
Assistant Sub Inspector of Police, Pandaria	Pandaria, Bilaspur District.
Sub Inspector of Police, Patharia	Patharia, Bilaspur District.
Sub Inspector of Police, Takhatpur	Takhatpur, Bilaspur District.
Sub Inspector of Police, Katghora	Katghora, Bilaspur District.
Assistant Sub Inspector of Police, Kartala	Kartala, Bilaspur District.
Assistant Sub Inspector of Police, Pali	Pali, Bilaspur District.
Assistant Sub Inspector of Police, Pasan	Pasan, Bilaspur District.
Sub Inspector of Police, Durg	Durg, Durg District.
Sub Inspector of Police, Dhamda	Dhamda, Durg District.
Sub Inspector of Police, Bhilai	Bhilai, Durg District.
Sub Inspector of Police, Patan	Patan, Durg District.
Sub Inspector of Police, Ranchirai	Ranchirai, Durg District.
Sub Inspector of Police, Arjunda	Arjunda, Durg District.

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Madhya Pradesh—contd.

Sub Inspector of Police, Pinkapur	Pinkapur, Durg District.
Sub Inspector of Police, Bemetara	Bemetara, Durg District.
Sub Inspector of Police, Nawagarh	Nawagarh, Durg District.
Sub Inspector of Police, Nandghat	Nandghat, Durg District.
Sub Inspector of Police, Berla	Berla, Durg District.
Assistant Sub Inspector of Police, Gandai	Gandai, Durg District.
Assistant Sub Inspector of Police, S. Lohara	S. Lohara, Durg District.
Sub Inspector of Police, Balod	Balod, Durg District.
Sub Inspector of Police, Gurur	Gurur, Durg District.
Sub Inspector of Police, Chowki	Chowki, Durg District.
Assistant Sub Inspector of Police, Dondi Lohara	Dondi Lohara, Durg District.
Assistant Sub Inspector of Police, Manpur	Manpur, Durg District.
Sub Inspector of Police, Dondi	Dondi, Durg District.
Sub Inspector of Police, Rajnandgaon	Rajnandgaon, Durg District.
Sub Inspector of Police, Dongargaon	Dongargaon, Durg District.
Sub Inspector of Police, Chhuria	Chhuria, Durg District.
Sub Inspector of Police, Ghumekha with Police Station Pandah	Ghumekha, Durg Distt.
Sub Inspector of Police, Saja	Saja, Durg District.
Sub Inspector of Police, Khairagarh	Khairagarh, Durg District.
Sub Inspector of Police, Dongargarh	Dongargarh, Durg District.
Sub Inspector of Police, Khamaria	Khamaria, Durg District.
Sub Inspector of Police, Chhuikhadan	Chhuikhadan, Durg District.
Sub Inspector of Police, Kawardha	Kawardha, Durg District.
Sub Inspector of Police, Pipria	Pipria, Durg District.
Sub Inspector of Police, Rangakhar	Rangakhar, Durg District.
Sub Inspector of Police, Bodla	Bodla, Durg District.
Sub Inspector of Police, Kotwali	Kotwali, Nagpur District.
Sub Inspector of Police, Ganeshpeth	Ganeshpeth, Nagpur District.
Sub Inspector of Police, Lakharganj	Lakharganj, Nagpur District.
Sub Inspector of Police, Tahail	Tahail, Nagpur District.
Sub Inspector of Police, Panchpaoli	Panchpaoli, Nagpur District.
Sub Inspector of Police, Sitabuldi	Sitabuldi, Nagpur District.
Sub Inspector of Police, Sadar Bazar	Sadar Bazar, Nagpur District.
Sub Inspector of Police, Saoner	Saoner, Nagpur District.
Assistant Sub Inspector of Police, Killod	Killod, Nagpur District.
Sub Inspector of Police, Kalmeshwar	Kalmeshwar, Nagpur District.
Sub Inspector of Police, Katol	Katol, Nagpur District.
Sub Inspector of Police, Narkhed	Narkhed, Nagpur District.
Assistant Sub Inspector of Police, Jalalkhera	Jalalkhera, Nagpur District.
Sub Inspector of Police, Kondhali	Kondhali, Nagpur District.
Sub Inspector of Police, Kamptee Town	Kamptee Town, Nagpur District.
Sub Inspector of Police, Bori	Bori, Nagpur District.
Assistant Sub Inspector of Police, Hingna	Hingna, Nagpur District.
Sub Inspector of Police, Ramtek	Ramtek, Nagpur District.
Assistant Sub Inspector of Police, Deolapar	Deolapar, Nagpur District.
Sub Inspector of Police, Parseoni	Parseoni, Nagpur District.
Sub Inspector of Police, Mowdha	Mowdha, Nagpur District.
Sub Inspector of Police, Umrer	Umrer, Nagpur District.
Sub Inspector of Police, Bhiwapur	Bhiwapur, Nagpur District.
Assistant Sub Inspector of Police, Veltur	Veltur, Nagpur District.
Sub Inspector of Police, Kuhi	Kuhi, Nagpur District.
Sub Inspector of Police, Bela	Bela, Nagpur District.
Sub Inspector of Police, Wardha	Wardha, Wardha District.
Sub Inspector of Police, Selu	Selu, Wardha District.
Sub Inspector of Police, Deoli	Deoli, Wardha District.
Sub Inspector of Police, Pulgaon	Pulgaon, Wardha District.
Sub Inspector of Police, Hinganghat	Hinganghat, Wardha District.
Assistant Sub Inspector of Police, Sindi	Sindi, Wardha District.

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Madhya Pradesh—contd.

Sub Inspector of Police, Wadner	Wadner, Wardha District.
Sub Inspector of Police, Girad	Girad, Wardha District.
Sub Inspector of Police, Arvi	Arvi, Wardha District.
Sub Inspector of Police, Ashti	Ashti, Wardha District.
Sub Inspector of Police, Karanja	Karanja, Wardha District.
Sub Inspector of Police, Kharangna	Kharangna, Wardha District.
Sub Inspector of Police, Bhandara	Bhandara, Bhandara District.
Sub Inspector of Police, Tumsar	Tumsar, Bhandara District.
Sub Inspector of Police, Mohadi,	Mohadi, Bhandara District.
Assistant Sub Inspector of Police, Adar,	Adar, Bhandara District.
Sub Inspector of Police, Paoni,	Paoni, Bhandara District.
Assistant Sub Inspector of Police, Andhargaoon,	Andhargaoon, Bhandara District.
Sub Inspector of Police, Gondia,	Gondia, Bhandara District.
Sub Inspector of Police, Tirora,	Tirora, Bhandara District.
Sub Inspector of Police, Amgaon,	Amgaon, Bhandara District.
Sub Inspector of Police, Salekass,	Salekass, Bhandara District.
Sub Inspector of Police, Daoniwara,	Daoniwara, Bhandara District.
Sub Inspector of Police, Sakoli,	Sakoli, Bhandara District.
Sub Inspector of Police, Lakhandur,	Lakhandur, Bhandara District.
Assistant Sub Inspector of Police, Duggipur,	Duggipur, Bhandara District.
Assistant Sub Inspector of Police, Arjuni,	Arjuni, Bhandara District.
Assistant Sub Inspector of Police, Chichgarh	Chichgarh, Bhandara District.
Sub Inspector of Police, Chanda	Chanda, Chanda District.
Sub Inspector of Police, Ballarpore,	Ballarpore, Chanda District.
Sub Inspector of Police, Mul,	Mul, Chanda District.
Sub Inspector of Police, Kothari,	Kothari, Chanda District.
Assistant Sub Inspector of Police, Dhaba,	Dhaba, Chanda District.
Sub Inspector of Police, Warora,	Warora, Chanda District.
Sub Inspector of Police, Bhadrawati	Bhadrawati, Chanda District.
Sub Inspector of Police, Sheogaon	Sheogaon, Chanda District.
Sub Inspector of Police, Bhisi,	Bhisi, Chanda District.
Sub Inspector of Police, Chimoor,	Chimoor, Chanda District.
Sub Inspector of Police, Brahmapuri,	Brahmapuri, Chanda District.
Sub Inspector of Police, Sindowahi,	Sindowahi, Chanda District.
Sub Inspector of Police, Nagbhair,	Nagbhair, Chanda District.
Assistant Sub Inspector of Police, Pathri,	Pathri, Chanda District.
Sub Inspector of Police, Gadchiroli,	Gadchiroli, Chanda District.
Assistant Sub Inspector of Police, Dhanora,	Dhanora, Chanda District.
Sub Inspector of Police, Purada,	Purada, Chanda District.
Assistant Sub Inspector of Police, Chamorai,	Chamorai, Chanda District.
Sub Inspector of Police, Armori,	Armori, Chanda District.
Sub Inspector of Police, Aheri,	Aheri, Chanda District.
Sub Inspector of Police, Sironoha,	Sironoha, Chanda District.
Assistant Sub Inspector of Police, Etapalli	Etapalli, Chanda District.
Sub Inspector of Police, Khandwa	Khandwa, Nimar District.
Sub Inspector of Police, Pandhana,	Pandhana, Nimar District.
Sub Inspector of Police, Mandhata,	Mandhata, Nimar District.
Assistant Sub Inspector of Police, Chhegaon,	Chhegaon, Nimar District.
Sub Inspector of Police, Dhangaoon,	Dhangaoon, Nimar District.
Assistant Sub Inspector of Police, Piplod,	Piplod, Nimar District.
Sub Inspector of Police, Harsud,	Harsud, Nimar District.
Assistant Sub Inspector of Police, Jawar,	Jawar, Nimar District.
Sub Inspector of Police, Mundi,	Mundi, Nimar District.
Sub Inspector of Police, Khalwa,	Khalwa, Nimar District.
Assistant Sub Inspector of Police,	Baldi, Baldi, Nimar District.
Sub Inspector of Police, Burhanpur,	Burhanpur, Nimar District.
Sub Inspector of Police, Shahpur,	Shahpur, Nimar District.
Sub Inspector of Police, Khaknar,	Khaknar, Nimar District.
Assistant Sub Inspector of Police, Nimbola	Nimbola, Nimar District.

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Madhya Pradesh—contd.

Sub Inspector of Police, Betul	Betul, Betul District.
Sub Inspector of Police, Chicholi	Chicholi, Betul District.
Sub Inspector of Police, Shahpur	Shahpur, Betul District.
Assistant Sub Inspector of Police, Ranipur	Ranipur, Betul District.
Assistant Sub Inspector of Police, Bijadehi	Bijadehi, Betul District.
Assistant Sub Inspector of Police, Jhallar	Jhallar, Betul District.
Assistant Sub Inspector of Police, Mohta	Mohta, Betul District.
Sub Inspector of Police, Multai	Multai, Betul District.
Sub Inspector of Police, Sainkheda	Sainkheda, Betul District.
Sub Inspector of Police, Amla	Amla, Betul District.
Sub Inspector of Police, Bordehi	Bordehi, Betul District.
Sub Inspector of Police, Atnair	Atnair, Betul District.
Sub Inspector of Police, Bhainsdehi	Bhainsdehi, Betul District.
Sub Inspector of Police, Kotwali	Kotwali, Amravati District.
Sub Inspector of Police, Rajapeth	Rajapeth, Amravati District.
Sub Inspector of Police, Nagpur, Gate	Nagpur Gate, Amravati District.
Sub Inspector of Police, Badnera	Badnera, Amravati District.
Sub Inspector of Police, Kholapur	Kholapur, Amravati District.
Sub Inspector of Police, Walgaon	Walgaon, Amravati District.
Sub Inspector of Police, Mahuli	Mahuli, Amravati District.
Assistant Sub Inspector of Police, Loni	Loni, Amravati District.
Sub Inspector of Police, Nandgaon	Nandgaon, Amravati District.
Sub Inspector of Police, Chandur Rly	Chandur Rly., Amravati District.
Sub Inspector of Police, Tallegaon	Tallegaon, Amravati District.
Sub Inspector of Police, Kurha	Kurha, Amravati District.
Sub Inspector of Police, Dattapur	Dattapur, Amravati District.
Sub Inspector of Police, Mangrul	Mangrul, Amravati District.
Sub Inspector of Police, Teosa	Teosa, Amravati District.
Sub Inspector of Police, Morsi	Morsi, Amravati District.
Sub Inspector of Police, Sirkhed	Sirkhed, Amravati District.
Sub Inspector of Police, Barur	Barur, Amravati District.
Assistant Sub Inspector of Police, Benoda	Benoda, Amravati District.
Sub Inspector of Police, Achalpur	Achalpur, Amravati District.
Sub Inspector of Police, Paratwada	Paratwada, Amravati District.
Sub Inspector of Police, Chandur Bazar	Chandur Bazar, Amravati District.
Sub Inspector of Police, Sirasgaon	Sirasgaon, Amravati District.
Sub Inspector of Police, Assegaon	Assegaon, Amravati District.
Assistant Sub Inspector of Police, Chikalda	Chikalda, Amravati District.
Assistant Sub Inspector of Police, Dharni	Dharni, Amravati District.
Sub Inspector of Police, Daryapur	Daryapur, Amravati District.
Sub Inspector of Police, Anjangaon	Anjangaon, Amravati District.
Sub Inspector of Police, Khallar	Khallar, Amravati District.
Assistant Sub Inspector of Police, Rahimapur	Rahimapur, Amravati District.
Assistant Sub Inspector of Police, Pathrot	Pathrot, Amravati District.
Sub Inspector of Police, Kotwali	Kotwali, Akola District.
Sub Inspector of Police, Rifle Range	Rifle Range, Akola District.
Sub Inspector of Police, Akot	Akot, Akola District.
Sub Inspector of Police, Telhara	Telhara, Akola District.
Assistant Sub Inspector of Police, Hivarkhed	Hivarkhed, Akola District.
Assistant Sub Inspector of Police, Dahihanda	Dahihanda, Akola District.
Sub Inspector of Police, Balapur	Balapur, Akola District.
Sub Inspector of Police, Patur	Patur, Akola District.
Assistant Sub Inspector of Police, Ural	Ural, Akola District.
Assistant Sub Inspector of Police, Channi	Channi, Akola District.
Sub Inspector of Police, Barsi Takli	Barsi Takli, Akola District.
Sub Inspector of Police, Murtajapur	Murtajapur, Akola District.
Sub Inspector of Police, Borgaon	Borgaon, Akola District.
Sub Inspector of Police, Karanja	Karanja, Akola District.

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Madhya Pradesh—contd.

Sub Inspector of Police, Dhanaj	Dhanaj, Akola District.
Sub Inspector of Police, Mana	Mana, Akola District.
Sub Inspector of Police, Washim	Washim, Akola District.
Sub Inspector of Police, Risod	Risod, Akola District.
Sub Inspector of Police, Sirpur	Sirpur, Akola District.
Sub Inspector of Police, Jawalka	Jawalka, Akola District.
Sub Inspector of Police, Ansingh	Ansingh, Akola District.
Sub Inspector of Police, Mangrulpur	Mangrulpur, Akola District.
Sub Inspector of Police, Manora	Manora, Akola District.
Assistant Sub Inspector of Police, Assegaon	Assegaon, Akola District.
Assistant Sub Inspector of Police, Pinjar	Pinjar, Akola District.
Sub Inspector of Police, Buldana	Buldana Buldana District.
Sub Inspector of Police, Chikhli	Chikhli, Buldana District.
Sub Inspector of Police, Dhad	Dhad, Buldana District.
Sub Inspector of Police, Amdapur	Amdapur, Buldana District.
Sub Inspector of Police, Andhera	Andhera, Buldana District.
Sub Inspector of Police, D.G. Raja	D.G. Raja, Buldana District.
Sub Inspector of Police, Mekhar	Mekhar, Buldana District.
Sub Inspector of Police, Lonar	Lonar, Buldana District.
Sub Inspector of Police, Janephal	Janephal, Buldana District.
Sub Inspector of Police, Kingaon Raja	Kingaon Raja, Buldana District.
Sub Inspector of Police, Fathekherada	Fathekherada, Buldana District.
Sub Inspector of Police, Malkapur	Malkapur, Buldana District.
Assistant Sub Inspector of Police, Borakhedi	Borakhedi, Buldana District.
Sub Inspector of Police, Dhamangaon	Dhamangaon, Buldana District.
Sub Inspector of Police, Nandura	Nandura, Buldana District.
Sub Inspector of Police, Jalgaon	Jalgaon, Buldana District.
Sub Inspector of Police, Khamgaon	Khamgaon, Buldana District.
Sub Inspector of Police, P.J. Raja	P.J. Raja, Buldana District.
Assistant Sub Inspector of Police, Hiwarkhed	Hiwarkhed, Buldana District.
Sub Inspector of Police, Shegaon	Shegaon, Buldana District.
Sub Inspector of Police, Jalamb	Jalamb, Buldana District.
Sub Inspector of Police, Tamgaon	Tamgaon, Buldana District.
Sub Inspector of Police, Yeotmal	Yeotmal, Yeotmal District.
Sub Inspector of Police, Babulgaon	Babulgaon, Yeotmal District.
Sub Inspector of Police, Kalamb	Kalamb, Yeotmal District.
Sub Inspector of Police, Wadgaon	Wadgaon, Yeotmal District.
Sub Inspector of Police, Darwha	Darwha, Yeotmal District.
Sub Inspector of Police, Ladkhed	Ladkhed, Yeotmal District.
Sub Inspector of Police, Digras	Digras, Yeotmal District.
Sub Inspector of Police, Arni	Arni, Yeotmal District.
Sub Inspector of Police, Ner	Ner, Yeotmal District.
Sub Inspector of Police, Pandherkaora	Pandherkaora, Yeotmal District.
Sub Inspector of Police, Ghatanji	Ghatanji, Yeotmal District.
Sub Inspector of Police, Parwa	Parwa, Yeotmal District.
Sub Inspector of Police, Ralegaon	Ralegaon, Yeotmal District.
Assistant Sub Inspector of Police, Wadki	Wadki, Yeotmal District.
Sub Inspector of Police, Wani	Wani, Yeotmal District.
Sub Inspector of Police, Sirpur	Sirpur, Yeotmal District.
Sub Inspector of Police, Patan	Patan, Yeotmal District.
Assistant Sub Inspector of Police, Maregaon	Maregaon, Yeotmal District.
Sub Inspector of Police, Pusad	Pusad, Yeotmal District.
Sub Inspector of Police, Jaola	Jaola, Yeotmal District.
Sub Inspector of Police, Umerkhed	Umerkhed, Yeotmal District.
Sub Inspector of Police, Bittergaon	Bittergaon, Yeotmal District.
Sub Inspector of Police, Mehegaon	Mehegaon, Yeotmal District.
Sub Inspector of Police, Raigarh	Raigarh, Raigarh District.
Sub Inspector of Police, Kharsia	Kharsia, Raigarh District.
Sub Inspector of Police, Pussaur	Pussaur, Raigarh District.
Sub Inspector of Police, Sakti	Sakti, Raigarh District.

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Madhya Pradesh—contd.

Sub Inspector of Police, Gharghoda	Gharghoda, Raigarh District.
Sub Inspector of Police, Lailunga	Lailunga, Raigarh District.
Sub Inspector of Police, Tamnar	Tamnar, Raigarh District.
Sub Inspector of Police, Sarangarh	Sarangarh, Raigarh District.
Sub Inspector of Police, Barmkela	Barmkela, Raigarh District.
Sub Inspector of Police, Sarial	Sarial, Raigarh District.
Sub Inspector of Police, Dharamjaigarh	Dharamjaigarh, Raigarh District.
Sub Inspector of Police, Pathalgaon	Pathalgaon, Raigarh District.
Sub Inspector of Police, Bagbajar	Bagbajar, Raigarh District.
Sub Inspector of Police, Kapu	Kapu, Raigarh District.
Sub Inspector of Police, Jashpurnagar	Jashpurnagar, Raigarh District.
Sub Inspector of Police, Narainpur	Narainpur, Raigarh District.
Sub Inspector of Police, Bagicha	Bagicha, Raigarh District.
Sub Inspector of Police, Sauna	Sauna, Raigarh District.
Sub Inspector of Police, Parsababar	Parsababar, Raigarh District.
Sub Inspector of Police, Jagdalpur	Jagdalpur, Jagdalpur District.
Sub Inspector of Police, Darbha	Darbha, Jagdalpur District.
Sub Inspector of Police, Nagarnar	Nagarnar, Jagdalpur District.
Sub Inspector of Police, Bhanpuri	Bhanpuri, Jagdalpur District.
Sub Inspector of Police, Lohandiguda	Lohandiguda, Jagdalpur District.
Sub Inspector of Police, Kondagaon	Kondagaon, Jagdalpur District.
Sub Inspector of Police, Keskel	Keskel, Jagdalpur District.
Sub Inspector of Police, Narainpur	Narainpur, Jagdalpur District.
Sub Inspector of Police, Antagarh	Antagarh, Jagdalpur District.
Sub Inspector of Police, Dangewada	Dangewada, Jagdalpur District.
Sub Inspector of Police, Bajpur	Bajpur, Jagdalpur District.
Sub Inspector of Police, Bhopalpatnam	Bhopalpatnam, Jagdalpur District.
Sub Inspector of Police, Sukma	Sukma, Jagdalpur District.
Sub Inspector of Police, Kaukonda	Kaukonda, Jagdalpur District.
Sub Inspector of Police, Konta	Konta, Jagdalpur District.
Sub Inspector of Police, Kanker	Kanker, Jagdalpur District.
Sub Inspector of Police, Charma	Charma, Jagdalpur District.
Sub Inspector of Police, Narharpur	Narharpur, Jagdalpur District.
Sub Inspector of Police, B'Partappur	B'Partappur, Jagdalpur District.
Sub Inspector of Police, Ambikapur	Ambikapur, Surguja District.
Sub Inspector of Police, Lakhapur	Lakhapur, Surguja District.
Sub Inspector of Police, Raipur	Raipur, Surguja District.
Sub Inspector of Police, Dhourpur	Dhourpur, Surguja District.
Sub Inspector of Police, Surajpur	Surajpur, Surguja District.
Sub Inspector of Police, Premnagar	Premnagar, Surguja District.
Sub Inspector of Police, Jhilmili	Jhilmili, Surguja District.
Sub Inspector of Police, Pratappur	Pratappur, Surguja District.
Sub Inspector of Police, Jainagar	Jainagar, Surguja District.
Sub Inspector of Police, Sitapur	Sitapur, Surguja District.
Sub Inspector of Police, Kamleshwarpur	Kamleshwarpur, Surguja District.
Sub Inspector of Police, Ramanujganj	Ramanujganj, Surguja District.
Sub Inspector of Police, Ramchandrapur	Ramchandrapur, Surguja District.
Sub Inspector of Police, Basantpur	Basantpur, Surguja District.
Sub Inspector of Police, Balrampur	Balrampur, Surguja District.
Sub Inspector of Police, Manpur	Manpur, Surguja District.
Sub Inspector of Police, Ramkola	Ramkola, Surguja District.
Sub Inspector of Police, Chandni	Chandni, Surguja District.
Sub Inspector of Police, Sirpur	Sirpur, Surguja District.
Sub Inspector of Police, Shankargarh	Shankargarh, Surguja District.
Sub Inspector of Police, Baikunthpur	Baikunthpur, Surguja District.
Sub Inspector of Police, Patna	Patna, Surguja District.
Sub Inspector of Police, Sonhat	Sonhat, Surguja District.
Sub Inspector of Police, Chirmiri	Chirmiri, Surguja District.
Sub Inspector of Police, Khadgawan	Khadgawan, Surguja District.
Sub Inspector of Police, Manendragarh	Manendragarh, Surguja District.
Sub Inspector of Police, Kilheri	Kilheri, Surguja District.
Sub Inspector of Police, Janakpur	Janakpur, Surguja District.
Sub Inspector of Police, Katadol	Katadol, Surguja District.

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Madhya Pradesh—conold.

Sub Inspector of Police, Balaghat	Balaghat, Balaghat District.
Sub Inspector of Police, Kirnapur	Kirnapur, Balaghat District.
Sub Inspector of Police, Lanji	Lanji, Balaghat District.
Sub Inspector of Police, Waraseoni	Waraseoni, Balaghat District.
Sub Inspector of Police, Rampaili	Rampaili, Balaghat District.
Sub Inspector of Police, Katangi	Katangi, Balaghat District.
Sub Inspector of Police, Tirodi	Tirodi, Balaghat District.
Sub Inspector of Police, Lalburra	Lalburra, Balaghat District.
Sub Inspector of Police, Baihar	Baihar, Balaghat District.
Assistant Sub Inspector of Police, Lampta	Lampta, Balaghat District.
Assistant Sub Inspector of Police, Birsa	Birsa, Balaghat District.
Assistant Sub Inspector of Police, Rupjhar	Rupjhar, Balaghat District.
Assistant Sub Inspector of Police, Parasawara	Parasawara, Balaghat District.

Punjab—

Assistant Inspector General, Government Railway Police, Punjab, Ambala Cantt.	Ambala Cantt.
Assistant to Deputy Inspector General of Police, C. I. D., Punjab, Simla	Simla.
Senior Supdt. of Police, Ferozepore	Ferozepore.
Senior Supdt. of Police, Amritsar	Amritsar.
Superintendent of Police, Hissar	Hissar.
Superintendent of Police, Rohtak	Rohtak.
Superintendent of Police, Gurgaon	Gurgaon.
Superintendent of Police, Karnal	Karnal.
Superintendent of Police, Ambala	Ambala.
Superintendent of Police, Simla	Simla.
Superintendent of Police, Kangra	Dharamsala.
Superintendent of Police, Hoshiarpur	Hoshiarpur.
Superintendent of Police, Jullundur	Jullundur.
Superintendent of Police, Ludhiana	Ludhiana.
Superintendent of Police, Ferozepore	Ferozepore.
Superintendent of Police, Gurdaspur	Gurdaspur.
Addl. Superintendent of Police, Ferozepore	Ferozepore.
Addl. Superintendent of Police, Amritsar	Amritsar.
Deputy Supdt. of Police, Jullundur	Jullundur.
Deputy Supdt. of Police, Ludhiana	Ludhiana.
Deputy Supdt. of Police, Ferozepore	Ferozepore.
Deputy Supdt. of Police, Moga	Moga.
Deputy Supdt. of Police, Fazilka	Fazilka.
Deputy Supdt. of Police, Amritsar	Amritsar.
Deputy Supdt. of Police, Tarn Taran	Tarn Taran.
Deputy Supdt. of Police, Patti	Patti.
Deputy Supdt. of Police, Gurdaspur	Gurdaspur.
Deputy Supdt. of Police, Batala	Batala.
Dy. Supdt. of Police, C. I. D. Punjab Simla	Simla.
Dy. Supdt. of Police, Govt. Rly. Police, Punjab Ambala Cantt.	Ambala Cantt.
Sub Divisional Officer, Govt. Rly. Police, Ferozepore	Ferozepore.
Sub Divisional Officer, Govt. Rly. Police, Delhi	Delhi.
Asstt. Superintendent of Police, Hissar	Hissar.
Asstt. Superintendent of Police, Ambala	Ambala.
Asstt. Superintendent of Police, Jullundur	Jullundur.
Asstt. Superintendent of Police, Amritsar	Amritsar.
Asstt. Superintendent of Police, Gurdaspur	Gurdaspur.
Deputy Superintendent of Police, Hissar	Hissar.
Deputy Superintendent of Police, Sirsa	Sirsa.
Deputy Superintendent of Police, Rohtak	Rohtak.
Deputy Superintendent of Police, Sonapat	Sonepat.
Deputy Superintendent of Police, Gurgaon	Gurgaon.
Deputy Superintendent of Police, Karnal	Karnal.
Deputy Superintendent of Police, Kaithal	Kaithal.
Deputy Superintendent of Police, Ambala	Ambala.
Deputy Superintendent of Police, Rupar	Rupar.
Deputy Superintendent of Police, Simla	Simla.
Deputy Superintendent of Police, Kangra	Dharamsala.
Deputy Superintendent of Police, Hoshiarpur	Hoshiarpur.

[No. NM-30-4/50-(Pt. I).]

K. V. VENKATACHALAM, Dy. Secy.